MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE
CITY OF PITTSBURGH
FOR THE YEAR
1998

VOLUME 132-A

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902	Qualified telecommunications consultants for professional services, expert advice and other related services in connection with development of a comprehensive telecommunications policy of the city of Pittsburgh, cost not to exceed $100,000.00	1350, 1385
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991	Preliminary engineering, including environmental re-write, preliminary design and definition of Scope of Services for final design in connection with the reconstruction of Fort Pitt Boulevard	1484, 1526
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1016	Consultant for Design Services in connection with the Reconstruction of Ft. Duquesne Boulevard from Stanwix Street to Tenth Street; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; providing for a Cooperation Agreement with the Pittsburgh Cultural Trust, by increasing the total project allocation to $1,100,000.00	1517, 1576

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1051	Providing for administrative/staff costs related to the Nine Mile Run Rivers Conservation Plan, at a cost not to exceed $65,000.00, so as to increase the amount authorized to $269,500.00	1556, 1657
1061	Authorizing the Mayor and the City Solicitor to enter into an agreement for the hiring of counsel and consultants to assist in the representation of the City of Pittsburgh for outside legal counsel, cost to exceed $20,000.00	1557, 1612
1092	Forms approved by the City Solicitor, with a Court Reporter in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings, cost not to exceed $2,000.00	1598, 1676
1093	Consultant for professional services in connection with the research evaluation, validation, preparation, scoring and interpretation of Civil Service Examinations, cost not to exceed $50,000.00	1599, 1676

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1094	With various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations & tests for the Civil Service Commission's Medical Examination, cost not to exceed $55,000.00	1599, 1676
1095	With a medical facility or facilities and a laboratory or laboratories for professional services in connection with the administration and evaluation of federally mandated and bargaining unit specified employee testing, cost not to exceed $40,000.00	1599, 1677

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178		Construction of an addition to the Phillips Park Recreation Building, by increasing the total project allocation to $1,540,000.00	208, 248
570		Elder-Ado for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh	785, 869
573		Various Community organizations for operational/administrative expenses, so as to reprogram funds in various programs in City Council	785, 869

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713		Various community organization operational/administrative, so as to delete one project "Perry Athletic Association" and adding one project "East Northside Action Committee	1053, 1087
713		Amending Resolution 290/1997 operational/administrative expenses of Neighborhood facilities for the benefits of the City of Pittsburgh, so as to delete one project "Perry Athletic Association" and adding one project "East Northside Action Committee	1087
789		Consultant in connection with the Pittsburgh Advocacy Commission on Youth, by reducing the amount to $117,381.00 and by converting the old index code numbers to reflect the current People Soft chartfield	1156,1246
989		Agreement to purchase microwave communications systems for Emergency Operations Center, cost not to exceed $675,000.00	1484, 1575
1091		Professional Services Agreement with KMPG Peat Marwick LLP for the performance of the City's Financial Statement including Single Audit, by decrease the authorized amount from $594,740 to $564,740	1598, 1675

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247	Bingler, John H., Jr.	Serve as a member of the Citizen Police Review Board to fill the unexpired term of Robert Kroner, for a term to expire October 31, 1999	268
	Bush, Esther	Nomination as candidates for the Allegheny County Advisory Apportionment Commission	
197	Costa, Guy	Appointment as the Director of the Department of General Services effective March 9, 1998	218
199	Costa, Guy	Appointment as the Director of General Services effective March 9, 1998	234
42	Diven, Michael	As a member of the Allegheny County Sanitary Authority, term to expire December 31, 2002 (NOTE: See Standing Committees meeting of January 14, 1998 for discussion and motion of approval)	
83	Hord, Earl	As a Member of the Minority and Women's Business Enterprise Review Committee term to expire April 30, 2000	97, 129
82	Hughey, Andrew	As a Member of the Minority and Women's Business Enterprise Review Committee, term to expire April 30, 2000	97, 129
1010	Momberger, Eric	Appointment as the labor representative for the reivew committee described in the contracting our regulations and review act 1996	1492, 1600

Appointment

BILL NUMBER	SPEAKER	SUBJECT	PAGE
85	Overton, James	As a Member of the Minority and Women's Business Enterprise Review Committee term to expire April 30, 2000	97
980	Roberson, Eric	Appointment as a Member of the Civilian Review Commission, term to expire October 31, 1999	1458, 1558
84	Rosen, Sandra	As a Member of the Minority and Women's Business Enterprise Review Committee term to expire April 30, 2000	97, 129, 187
377	Schneider, Mark	Member of the Public Auditorium Authority, term to expire April 30, 20003	500
454	Schneider, Mark	Member of the Stadium Authority Board, term to expire December 31, 2002	602
41	Straub, John	Member of the Steel Valley Authority for a term to expire December 31, 2000	35

Bond

BILL NUMBER	SUBJECT	PAGE
26	Authorizing the incurring of non-electoral debt, in the aggregate principal amount not to exceed $255,000,000	33, 116
70	Directing the Director of Finance and the City's financial adviser to provide certain information to Council prior to the issuance of the $255 Million Dollar Pension Bond	84, 117
668	Authorizing to increase the bonded indebtedness of the City of Pittsburgh by issuing General Obligation Bonds in the aggregate principal amount of $200,000.00	933, 990,1172

Budget

BILL NUMBER	*SUBJECT*	*PAGE*
93	Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1998	108, 165
263	Carrying over balances or portions thereof remaining in certain accounts for the year 1997 to the same or to other accounts for the year 1998	314, 378
918	Authorizing and directing the Mayor and the Director of Personnel to implement a 2.5 percent cost of living adjustment for all non-union and non-bargaining unit employees of the City of Pittsburgh retroactive to June 1, 1998	1380, 1518
1062	Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for the meeting the debt charges thereof for fiscal year beginning January 1, 1999	1557, 1638
1063	Designating Banks and Lending Institutions to act as Depositories for the year 1999 in accordance with the Pittsburgh Code, Title Two, Article III, Depositories	1557
1064	Fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof; and setting minimum levels for designated positions for the year 1999	1557, 1638

Capital Budget

BILL NUMBER	*SUBJECT*	*PAGE*
320	Adopting and approving the 1998 Capital Budget and the CDBG Program; and approving the 19998 - 2003 Capital Improvement Program by amending the title of a line item (Queen Fleet Docking Site)	426, 537, 537
333	Adopting and approving the 1998 Capital Budget and CDBG program, entitled Consent Decree Implementation	429, 532
897	Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program, and approving the 1996 through 2001 Capital Improvement Program by transferring $20,000 from various line items to Property Acquisition-Engineering	1348, 1390
898	Adopting and approving the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program, transferring $35,000.00 from Brick /Blockstone to a new line item "Graffiti Removal Program"	1349, 1387
972	Approving the 1998 Capital Budget and the 1998 CDBG Program and approving the 1998 - 2003 Capital Improvement Program, by transferring and renaming a project from Engineering & Construction (Art Set Aside) to Department of City Planning (Neighborhood Public Art Initiative	1451, 1525

Capital Budget

BILL NUMBER	SUBJECT	PAGE
992	Approving the 1998 - 2003 Capital Improvement Program" by providing 1998 funding for the design for the reconstruction of the Fort Pitt Boulevard - Eastbound bridge	1484, 1526
1017	Adopting and approving the 1998 Capital Budget and 1998 CDBG Program by transferring $60,000.00 from Neighborhood Street Improvements to Central Business District Signalization	1517, 1576
1065	Adopting and approving the 1999 Capital Budget and CDBG Program and approving the 1999-2004 Capital Improvement Program by adjusting various line items in conformance with City Council's 1999 Capital Budget Amendments	1557, 1638

Capital Budget (Amending)

BILL NUMBER	SUBJECT	PAGE
94	Amending Resolution 838/1997, by making various corrections	108, 165
162	Amending Resolution 838/1998, adopting and approving the 1998 Capital Budget and the 1998 CDBG program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections	186, 236
262	Amending Resolution 838/1998 approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program, by making various corrections	314, 359

Capital Budget (Amending)

BILL NUMBER	SUBJECT	PAGE
564	1998-2003 Capital Improvement Program, by decreasing Neighborhood Street Improvements by $60,000.00 City Funds and $6,750.00 Water and Sewer Funds by increasing the Schenley Park over Panther Hollow Bridge	784, 874
681	1995 CDBG Program, by deleting $4,000.00 from Perry Athletic Association and adding $4,000 to East North Side Action Committee	956, 1017
714	1995 CDBG Program, by deleting $4,000.00 from Perry Athletic Association and adding $4,000.00 to East North Side Action Committee	1053, 1087
859	Amending the 1998 through 2003 Capital Improvement Program, by transferring $40,000.00 from Fuel Facility Rehabilitation (General Services to Park Reconstruction (Engineering & Construction)	1263, 1390

Communication

BILL NUMBER	SPEAKER	SUBJECT	PAGE
37	Flaherty, Tom	Submitting the Performance Audit of various agreements with surrounding municipalities for shared sewer maintenance and repair dated January 1998	35
503	Flaherty, Tom	Submitting the Performance Audit of Telephone Surveys for all City Departments dated May, 1998	671
615	Flaherty, Tom	Submitting the performance audit intergovernmental cooperation agreement Allegheny County mail room, Department of Finance, dated July, 1998	849

Communication

BILL NUMBER	SPEAKER	SUBJECT	PAGE
910	Flaherty, Tom	Submitting a Performance Audit of the Wayfinders Signage Program dated October, 1998	1351
1067	Flaherty, Tom	Submitting the performance audit of the Department of Engineering and Construction dated November 1998	1558
614	Flaherty,Tom	Submitting a special report sale of tax liens, Department of Finance, privatization contract in compliance review, phase three	849
354	Hirsh, Eloise	Submitting the recertification of Area "U" Central Shadyside for the Residential Parking Permit Program	451
355	Hirsh, Eloise	Submitting the recertification of Area "Z" Shadyside North for Residential Parking Permit Program	451
803	Kraus, Kathleen	Requesting permission for Kerry Taylor to attend the 8th Annual Violence Conference in Dallas Texas, cost not to exceed $2,081.79	1179
840	Kraus, Kathleen	Requesting approval for Steve Dearwater to attend the "Technical Assistance Workshop for Problem Solving Partnership Grantees in Boston, cost not to exceed $1,785.78	1242
966	Kraus, Kathleen	Requesting permission for Steve Dearwater to attend the "Community Policing Conference" in Arlington, VA from October 8 - 10, 1998	1450
1041	Kraus, Kathy	Requesting permission for Jeremy Estrada, a non-city employee to attend the youth service provider meeting at the Convention Center on January 26, 1999. The total cost will not exceed $1,110.48	1554

Communication

BILL NUMBER	SPEAKER	SUBJECT	PAGE
128	Lowe, Stanley	Submitting a list of the names, positions and salaries of all employees of the Housing Authority as of December 31, 1997	128
885	Morrow, Jacqueline	Submitting summaries of all claims filed and paid in September of 1998 and the total of all claims filed and paid through the third quarter of 1998 pursuant to the amendments to Section 163 of the Pittsburgh Code	1314
1068	Morrow, Jacqueline	Submitting a summary of all claims filed and paid in November 1998	1558
130	Murphy, Tom	Returning with his veto Bill No. 12, An Ordinance amending Chapter 111, Departments Generally, Section 111.01, Establishment; Rules and Regulations; Organization and Control, and Chapter 116, Dept. of Public Safety, section 116.01, Director as Head to provide for Council Confirmation of Chiefs in the Department of Public Safety, pursuant to Section 209 of the Pittsburgh Home Rule Charter	129
286	Murphy, Tom	Returning a veto on Council Bill 195, Resolution providing for an agreement with the Veteran's Place of Washington Boulevard for the sale of the City's interest in 921-977 Washington Boulevard, 12th Ward	345
165	Parees, Barbara	Requesting permission for Don Carlson, Pittsburgh Private Industry Council Member to attend the 1998 National Association of Private Industry Council's Forum to held in Washington, D.C. from March 1-3, 1998, cost not to exceed $1,622.00	186

Communication

BILL NUMBER	SPEAKER	SUBJECT	PAGE
936	Parees, Barbara	Requesting permission for Deborah Ference, Pittsburgh Private Industry Council member to attend the Leading the New Workforce Development System Seminar, November 18-19, 1998 in Chicago, Illinois. Cost not to exceed $1,597.00	1383
53	Parees, Barbara M.	Requesting John Turyan, non city employee to attend up to seven meeting during 1998, cost not to exceed $7,000.00	48, 112
129	Wasler-Johnson, Li	Submitting the Third and Fourth quarter travel reports of 1997 from various city departments	128

Conditional Use

BILL NUMBER	SUBJECT	PAGE
144	William James Rudolf for authorization to demolish a 2 1/2 story structure and replace it with an access drive located at 5608 Wilkins Avenue, 14th Ward	164, 325
209	Title Nine, Zoning, Article V, Chapter 993, authorization to construct a 4 story structure with 70 Units of Housing for the Elderly at 2830 West Carson Street with parking to accommodate 40 automobiles on property zoned "RP" Residential Planned Unit Development District, 16th Ward.	233, 761
566	The Urban Redevelopment of Pittsburgh for authorization to conduct a major grading operation on property identified as Lot No. 4 in the Broadhead Manor Plan of Lots No. 2	784, 971

Conditional Use

BILL NUMBER	*SUBJECT*	*PAGE*
575	Renovate an existing school building at 1214 Liverpool Street, with classrooms in 2 temporary trailers on nearby lots for the establishment of a charter school, council district 6	786, 1005
632	Board of Public Education of the School District to construct two, 1-story extensions plus mechanical equipment mezzanines, totaling 51,400	895, 1135
657	Authorization to construct three, four-story garden apartment buildings for student housing with sixteen dwellings units each to be located at 265 Oakland Avenue, 260 south Bouquets Street and 300 South Bouquet Street	929, 1158
952	Approving a Conditional Use Exception to Farmer's Market Associates for the authorization to construct a 4 story structure with 75 units of housing for the elderly at 401 West Commons Road with parking to accommodate 36 automobiles on property zoned "R5" Multiple Family Residence	1415, 1656
954	Approving a Conditional Use Exception to the Allegheny County Court of Common Pleas, Office of Juvenile Probation for authorization to occupy a portion of the first floor of the existing structure at 5231 Penn Avenue as a facility for the Community Intensive Supervision Project	1416

Conditional Use

BILL NUMBER	SUBJECT	PAGE
968	Approving a Conditional Use to Allegheny County Court of Common Pleas Office of Juvenile Probation for authorization to occupy a portion of the 1st floor of the existing structure at 5231 Penn Avenue as the Regional Administrative Offices, Council District No. 7	1450
969	Approving a Conditional Use to Allegheny County Court of Common Pleas Office of Juvenile Probation for authorization to occupy a portion of the 1st floor of the existing structure at 5231 Penn Avenue	1451, 1521

Contract

BILL NUMBER	SUBJECT	PAGE
24	Renovation of the fourth floor of the Department of City Planning located at 200 Ross Street	33, 93
47	Street Tree Planting at various Community Development locations, by decreasing amount of total project allocation by $25,000.00	47, 111
66	Rehabilitation of the Oakland Senior Center Rood, cost not to exceed $36,230.00	83
106	Demolition and removal of condemned buildings, cost not to exceed $500,000.00	125, 195
107	Demolition and removal of condemned buildings, cost not to exceed $600,000.00	125, 195
108	Pennsylvania Economy League, Inc. for the purpose of providing consulting and advertising services	125

Contract

BILL NUMBER	*SUBJECT*	*PAGE*
142	Installation and maintenance of traffic signal equipment throughout the City, cost not to exceed $100,000.00	163, 217
155	Purchase, repair, refurbishing and/or rental of equipment, and providing for the payment of the cost thereof not to exceed $450,000.00	185, 241
177	Purchase of equipment, materials, supplies for rehabilitation and removal of under ground and above ground storage, cost not to exceed $300,000.00	208, 328
184	Contract in connection with the Grant Street Maintenance Program, for the payment of the cost thereof, $152,500.00	209, 284
185	Contract in connection with the Renovation of various play areas	209, 284
187	Purchase of materials, supplies and equipment with the Wall, Stem and Fence Program at various areas throughout the City	209, 242, 282
194	Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's Worker's Compensation Program	211, 272
239	Purchase of a vehicle and related accessories Operations Center and providing for the payment thereof cost not to exceed $25,000.00	267, 391, 494
240	Purchase and installation of a Fire Arms Training Simulator and related accessories for the Bureau of Police, cost not to exceed $110,000.00	267, 360

Contract

BILL NUMBER	*SUBJECT*	*PAGE*
241	Purchase and installation of a computerized police driving simulator for the Bureau of Police, cost not to exceed $165,000.00	267, 361
259	Demolition and removal of condemned buildings, by increasing the costs to $1,000,000.00	313
259	Demolition and removal of condemned buildings and providing for the payment of the costs thereof by increasing the cost to a total of $1,000,000.00	313, 391
260	Hiring of Counsel and consultants to assist in the representation of the Citizen's Police Review Board, $30,000.00	313
260	Authorizing the Citizen's Police Review Board to enter into a contract for the hiring of counsel and consultants to assist in the representation of the Citizen's Police Review Board at a cost not to exceed $30,000.00	313
314	Purchase of office furniture, fixtures, equipment and related accessories and providing for the payment of $60,000.00	425, 494
316	Design and Construction of the Grandview Photography Park in Mt. Washington, cost not to exceed $72,000.00	426, 496
318	Miscellaneous Repairs to Streets and Structures and for the purchase of materials and supplies for such repairs, cost not to exceed $50,000.00	426, 496

Contract

BILL NUMBER	*SUBJECT*	*PAGE*
319	Street Tree Planting at various locations, cost not to exceed 40,000.00	426, 496
321	Maintenance at various parks and park facilities in CD areas, cost not to exceed $475,200.00	427, 462
322	Maintenance at various parks and park facilities throughout the City of Pittsburgh	427, 462
324	Street resurfacing programs, cost not to exceed $3,250,000.00	427, 462
325	Street resurfacing programs, cost not to exceed $2,397,810.00	427, 462
328	Disposition of Land by and between the URA and Manchester Housing Partnership L.P. IV for the Sale of the following properties	428, 489
330	Disposition by Sale of Land by and between the URA of Pittsburgh and Manchester Housing Partnership L.P. IV	428, 492
331	Disposition by Sale of Land by and between the URA and Business and Industrial Development Corporation, Inc.	429, 493
341	Construction of Handicapped Ramps in various communities throughout the City of Pittsburgh, cost not to exceed $89,000.00	448, 496
343	Investigation, construction and/or remediation for critical slope failures throughout the City, cost not to exceed $200,000.00	449, 537
368	Purchase of one vehicle and related accessories for the Bureau of Police, Department of Public Safety	487, 569

Contract

BILL NUMBER	*SUBJECT*	*PAGE*
401	Restoration of Seven Tennis Courts at various parks in the City, cost not to exceed $620,000.00	530, 573
423	Vendors to assist the City in improving its Citizen Participation Process, cost not to exceed $213,300.00	566, 655
463	Flexible Beam Guiderails at various locations throughout the City not to exceed $63,000.00	641, 725
465	Payment of supplies, equipment, etc. to provide center services for HACP recreational and Senior Citizens Program not to exceed $935,400.00	641, 726
466	Purchase of furniture and equipment not to exceed $100,000.00	641, 726
467	Purchase of furniture and equipment not to exceed $170,000.00 for Community Recreation Centers	641, 726
468	Payment of supplies, equipment, etc. in connection with the Baseball is Great (BIG) league Youth Sports Program, not to exceed $100,000.00	642, 727
488	Purchase of supplies, equipment and services for the Bureau of Police and providing for the payment thereof, cost not to exceed $247,000.00	669, 727
491	Purchase of a fingerprint card filing system for the City-County Integrate Identification Program, Department Public Safety, cost not to exceed $70,000.00	669, 803

Contract

BILL NUMBER	*SUBJECT*	*PAGE*
548	Pennsylvania Economy League, Inc. for the purpose of preparing the 1999-20002 revenue forecast and providing required follow-up for the City, cost not to exceed $30,000.00	753
589	The letting during the Calendar year 1999 of contracts and for the use of existing contracts for the maintenance, rental, rehabilitation, renovation, inspection and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh	830, 946
590	The letting of contracts for the purchase of material, general supplies, and equipment by various Departments of the City of Pittsburgh during calendar year 1999	830, 946
593	Repair and maintenance of the Walls, Steps and Fences in CD area throughout the City, cost not to exceed $47,000.00	830, 909
598	Professional services with Fried, Kane, Zuschlag, Walters 7 Grochmal of the purpose of providing legal counsel for defense of worker's compensation and heart and lung claims	831, 937
599	Professional services with Ford & Council for the purpose of providing legal counsel for defense of worker's compensation and heart and lung claims	831, 938

Contract

BILL NUMBER	*SUBJECT*	*PAGE*
634	URA of Pittsburgh and Mellon Bank, N.A. for the sale of Parcel A-1 in the Second Ward of the City of Pittsburgh, Block 2F, Lot 230, Sixth Avenue at Fifth Avenue, District 6	895, 972
636	Professional services with Employee Benefit Data Services, Inc., Benefit Service Center for the purpose of administering the financial incentive/medical savings program associated with the July 1, 1998 POSplus Healthcare Program	895, 960
768	Renovation of City pools in an amount not to exceed $100,000.00	1119, 1202
770	Mayor and the City Solicitor to enter into a contract with Public Management Resources, as the Auditor to comply with the Consent Decree entered into between the City of Pittsburgh and the United States Department of Justice, cost not to exceed $77,845.00	1190
771	Public Management Resources, as the Auditor, To Comply with The Consent Decree Entered Into Between The City of Pittsburgh and the United States Department of Justices	1119, 1130,1198
926	Disposition of Land by & between the URA and Farmer's Market Housing Partnership LP for the sale of parcel 1 b in the 22nd ward, West Commons Residential Construction	1382, 1658
949	Purchase of equipment for the Department of Public Works, Specialized Landscape, cost not to exceed $47,000.00	1415, 1454

Contract

BILL NUMBER	SUBJECT	PAGE
1015	Installation of traffic signals poles, hardware and associated civil work in connection with the upgrade of various intersections in the Central Business District including, by not limited to Smithfield Street at Boulevard of the Allies, cost not to exceed $110,000.00	1516, 1576
1081	Disposition of Land by and between the URA of Pittsburgh and Continental Communities, L.t.d. or a subsidiary to be formed for the sale of Parcel A (Block 29J, Lot 8), 26th Street	1592
1003	Purchase of equipment, at a cost not to exceed $10,000.00	1486, 1562

Contract (Amending)

BILL NUMBER	SUBJECT	PAGE
192	Purchase of equipment and materials for the graffiti removal program cost not to exceed $299,073.46	210, 281
206	Contract for the printing of the 1998 edition of the Summer Magazine, cost not to exceed $25,000.00	232, 328
562	Construction Inspection Services in connection with the Rehabilitation of the Schenley Park over Panther Hollow Bridge	783, 871
563	Reconstruction or Rehabilitation of Neighborhood Streets throughout the City and providing for the payment of the cost thereof, by increasing the total project allocation by $25,420.00	783, 871

Contract (Amending)

BILL NUMBER	SUBJECT	PAGE
592	Repair and replacement of sidewalk in the CDBG areas in the City of Pittsburgh, cost not to exceed $40,000.00	830, 909
651	Demolition and removal of condemned buildings, by decreasing the amount to $496,000.00	928
665	Amending Resolution 35/1998 so as to include the performance of Disaster Cost Recovery Services to increase the authorized amount to $594,740	933, 990

Cooperation Agreement

BILL NUMBER	SUBJECT	PAGE
46	U.S. Army Corp of Engineers to acquire right-of-way design and construct the Lower Saw Mill Run Flood Protection Improvements	46, 95
119	Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $525,000.00 for the Allequippa Terrace Project, District 6	127, 193
120	Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $1,450,000 for South Side Riverfront Development, District 3	127, 193
121	Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $300,000 for the Lawrenceville Shopping Center	127, 193
122	Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $1,50,000 for the Downtown Cultural District, Dist. 6	127, 193

Cooperation Agreement

BILL NUMBER	*SUBJECT*	*PAGE*
176	Transfer of funds not to exceed $3,925,000 dollars to the City of Pittsburgh Equipment Leasing authority for the purchase of vehicles	208, 247
243	Cooperation agreement with the URA for the LTV Site (Council District 3	267, 360
243	Cooperation Agreement with the URA of Pittsburgh providing for the transfer to URA of $6,000,000.00 for the LTV Site (Council District 3)	360
244	Cooperation agreement with URA of Pittsburgh designating URA as the City's agent for property acquisition in the Nine Mile Run Development	268, 390
245	Cooperation agreement wit the URA of Pittsburgh for the transfer to URA of $2,100,000.00 for Infrastructure Support for Housing	268, 390
317	Port of Pittsburgh Commission for the city's share of the costs for the design and construction of the Allegheny River North Shore Passenger Pier	426, 496, 537
443	Highland Park Community Development Corporation relative to the administration of a state grant and the consequent restoration of the Victorian Gardens in Highland Park	601, 688
472	Implementing the Redevelopment Proposal dated March 1998 for redevelopment activities in portions of Redevelopment Area No. 10, East Liberty	642, 838

Cooperation Agreement

BILL NUMBER	*SUBJECT*	*PAGE*
561	The County of Allegheny for the purpose of establishing a joint City/County print Shop	783, 1018
568	URA implementing the Redevelopment Proposal dated June 1998 for redevelopment activities in portions of Redevelopment Area No. 24, Broadhead Fording	784, 972
624	Providing for the transfer of funds not to exceed $75,000.00 to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment	894, 975
633	Urban Redevelopment Authority of Pittsburgh for the transfer to URA of $900,000 for the North Shore Riverfront Development	895, 972
663	URA for the performance of certain work in connection with the 1998-1999 Community Development Block Grant	930, 974
717	URA, County of Allegheny, The School District of Pittsburgh, implementing and termination of the center Triangle Tax Incremental Financing District, Council District 6	1053, 1361,1377
719	Cooperation Agreement with URA of Pittsburgh creating the Broadhead Fording TIF	1054, 1361
846	Public Auditorium Authority of Pittsburgh for establishment of a trust fund and the deposit therein of earned income tax paid by nonresidents professional athletes and other nonresidents who use government owned sports facilities	1243

Cooperation Agreement

BILL NUMBER	*SUBJECT*	*PAGE*
928	URA of Pittsburgh providing for the designation of $1,300,000 in private funds for the YWCA of Greater Pittsburgh Project, Council District 6	1382, 1491
1001	Authorizing the Department of Parks and Recreation to enter into a Cooperation Agreement for the transfer of $25,000.00 to the City of Pittsburgh Equipment Leasing Authority for the purchase of one vehicle for use by the Department of Parks and Recreation Senior Interests Program	1486, 1575
1019	Cooperation Agreement with the URA of Pittsburgh, the County of Allegheny and the Pittsburgh City School District providing for the financing, monitoring, implementing and terminating of the Fulton Building Tax Incremental Financing District, Council District No. 6	1517
1054	Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh Providing for the Financing, Monitoring, Implementing and Terminating of the Center Triangle Tax Incremental Financing District	1556

Cooperation Agreement

BILL NUMBER	SUBJECT	PAGE
1084	Authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the Pittsburgh School District providing for the financing, monitoring, implementing and terminating of the South Side Works Tax Incremental Financing District	1592
1115	Cooperation Agreement with the URA, the County of Allegheny and the Pittsburgh City School District providing for the financing, monitoring, implementing and termination of the East Liberty Home Depot, USA Tax Incremental Financing District	1673

Deposit

BILL NUMBER	SUBJECT	PAGE
28	Designating Banks and lending Institutions as Depositories for the year 1998 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories	52

Disposition Contract

BILL NUMBER	SUBJECT	PAGE
25	Between URA of Pittsburgh and Mascaro Construction Company, L.P., Council District 6	33, 94
123	Between URA and Pittsburgh Housing Development Corporation for the sale of Block 174-J, Lot 346, 13th Ward, Dist. 9)	128, 193

Disposition Contract

BILL NUMBER	*SUBJECT*	*PAGE*
159	Sale of Land by and between the URA of Pittsburgh and Armand & Anna Borgese for the Sale of Block 115-E, part of Lot 35, in the 27th Ward, Council District 1 - Weitz Way	186, 246
212	Sale of Land by and between URA and the Hill Community Development Corporation for the sale of various properties located on Dinwiddie Street, 3rd Ward, City of Pittsburgh Dist. 6.	233, 326
213	Sale of Land by and between URA and The Rubinoff Company Block 48R, Lot 75 and 100 in the Sixth Ward of the City of Pittsburgh	233, 327
473	Contract for Disposition by Sale of Land by and between URA and Home Depot, USA, Inc.	642, 838
474	Disposition of Land for the sale of Parcel 12 Subdistrict 1 East and Parcel 5 Subdistrict 2 East by and between the URA and Hyperion Telecommunications of Pennsylvania, Inc.	642, 761
660	Sale of land by and between the URA and Giant Eagle, Inc.	930, 973
931	Sale of land by and between URA of Pittsburgh and the Hill Community Development Corporation for the sale of Block 11-E, Lot 280, 3rd Ward, $1,500.00 per dwelling unit	1382, 1455

Disposition Contract

BILL NUMBER	*SUBJECT*	*PAGE*
932	Sale of land by and between URA and Manchester Housing Partnership L.P. IV for the sale of Block 22-L, Lot 133, 21st Ward of the City of Pittsburgh for $915.00 (Parking)	1383,1455

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
14	Granting unto Paula Lenigan the right to construct a fence on Loyal Way, 8th Ward, 3rd Council District	31, 89
15	Granting unto Duquesne University the right to construct a pedestrian bridge over Forbes Avenue, 1st Ward, Council District 6	31, 89
16	Granting unto Historical Society of Western PA the right to construct a historic markers on portions of the right of ways at locations in the 2nd Ward, 6th Ward, and 19th Ward	32, 89
50	Columbia Gas of PA, Inc. to install a 16 foot by 16 foot area of property of the City, fronting on South 18th Street, known as Southside Park, 17th Ward	47, 111
51	Columbia Gas of PA to install a regulator station in an 11.5 foot by 23.5 foot area of property of the City fronting Bon Air Avenue known as McKinley Park, 18th Ward	48, 112
52	Columbia Gas of PA to install a regulator station in a 15 foot by 18 foot area of the city, fronting Elsinburg Street, known as McKinley Park, 18th Ward	48, 112

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
111	Granting unto The Buncher Company an encroachment to construct at their own cost and expense, an aerial encroachment and sub-surface encroachment at 13th Street between Penn Avenue and Smallman	126, 191
112	Granting unto the Department of Engineering & Construction, City of Pittsburgh to construct concrete steps and ramp along front of building on Dartmore and a two story elevator tower with attached room on Englert Side, 32nd Ward, 4th Council District	126, 191
113	Granting unto the Seddon and Frances Benningbton, an encroachment to construct at their own cost 2 Banner Signs and 3 Canopy/Awnings on Liberty Avenue, 6th Council District	126, 191
114	Granting unto Duquesne Light Company to install one pole along Windom Street, 17th Ward, 3rd Council District	126, 191
156	Granting unto Frank J. Zottola, an encroachment to construct a fence on Yazoo Way and Smallman, 6th Ward	185, 242
202	Granting unto J. C. Lewis an encroachment to construct a concrete ramp at the main entrance of 1040 Fifth Avenue, 3rd Ward, 6th Council District	231, 324
203	Granting unto Beatric Lammert an encroachment to construct a portion of Regina Street, 3rd Council District	232, 324

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
204	Granting unto Thomas DeTemple and encroachment to construct, maintain and use at his own cost a portion of Tilford Street between Hyde and Harris Street, 38th Ward	232, 325
293	Granting unto Donald F. & Virginia Martin an encroachment to construct a unpaved portion on Ensign Avenue, 18th Ward, 4th Council District	377, 462
294	Construct a one story structure and handicap ramp with stoop system, projecting 5 feet 2 inches on sidewalk and 13 feet 8 inches wide, leaving an area of 8 feet, 6 inches, 16th Ward, 3rd Council District	377
294	Granting unto John Lauterbach an encroachment to construct a one story structure and handicap ramp with stoop system, 16th ward, council district 3rd	377, 462
345	Granting unto the Housing Authority of Pittsburgh, an encroachment to construct and use at their own cost and expense a retaining wall within the Right of Way near Allequippa Street	449, 534
346	Granting unto FSN Management, Inc. of Wexford, PA an encroachment to construct a temporary shoring system, 22nd & 25th Ward, 1st Council District	449, 534
347	Granting unto Alcoa Corporation, an encroachment to construct a manhole for the purpose of refilling a diesel tank for their emergency generator, 22nd Ward	449, 534

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
444	Granting unto Jeffrey S. Weinber an encroachment to construct an illuminated plastic sign extending less than 12 inches over an 7ft. Sidewalk in the 4th Ward, 6th Council District	601, 677
445	Granting unto Allegheny County Sanitary Authority an encroachment to construct a temporary Guard Station along Preble Avenue, 1st Council District	601, 677
446	Max & Erma's Restaurant, Inc. an encroachment to construct an exterior canopy structure at Penn Avenue and Stanwix Street, 2nd Ward, 6th Council District	601, 677
447	Pittsburgh Parking Development Corporation, an encroachment to construct a vault which will house the electrical transformer for the Lazarus project at Oliver Avenue, 2nd Ward, 6th Council District	601, 677
525	Foundry AleWorks a sidewalk café' on a portion of the sidewalk area at 2816 Smallman Street, 6th Ward	720, 799
594	Granting unto U.S. General Services Administration, an encroachment to construct 7 bollards and 3 trees on Liberty Avenue, 6th Council District	830, 910
607	Bregger's Bagels an encroachment to construct a sidewalk café' in the 3rd Council District	848, 881
608	Haritos, George, an encroachment to construct, a Sidewalk Café' in the 16th Ward	849, 882

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
611	Umesh Nagpal, a sidewalk café' and encroaching 5 Ft. 2 inches onto a 12 Ft. sidewalk in the 4th Ward, 8th Council District, City of Pittsburgh	849, 938
612	Lauterbach, Peter A., a sidewalk café consisting of 6 tables and 22 chairs at 613 Penn Avenue, 6th Council District	849, 939
613	H.J. Heinz, USA, an encroachment to construct an 8 foot smoking shelter, 23rd Ward, 1st District	849, 939
625	Original Oyster House to construct a Sidewalk Café' extending 11ft. In length and encroach 6 feet onto a 13 foot sidewalk, 6th District	894, 961
626	Marion Development Company, Inc. to construct a three story office building, having building borders encroaching on the Forbes Avenue & Marion Street, 6th Council District	894, 961
627	Rudolph Muto, a sidewalk Café' extending 11 ft. in length and encroaching 6 fee onto a 13 foot sidewalk, 1st Ward, 6th Council District	894, 962
628	Carl Kohlman, an encroachment to construct a Sidewalk Café' in the 17th Ward, 3rd Council District	894, 962, 1134
787	Federated Department Stores, Inc., an encroachment to construct 16 canopies and three blade signs, 6th Council District	1155, 1198
788	Gil Sokol, Luna Bar and encroachment to construct a handicapped ramp in front of 304 N. Craig, 6th Council District	1156,1245,1323

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
804	William, Peg an encroachment to construct maintain and use and use at their own cost and expense a parking area, 26th Ward, 1st. Council District	1180, 1276
805	U.S. Web Electronic Images an encroachment to construct a hanging of banners, 3 ft. wide, 16th Ward, 3rd Council District	1180, 1276
806	Demo Kephologianis an encroachment to construct a 15ft. Sidewalk, 17th Ward, 3rd Council District	1170, 1276
807	John Baranowski, an encroachment to construct and use at his own cost and expense, 1st ward, 6th council district	1179,1245
808	Sarah Heinz House, encroachment to construct a sign that is 3 feet height	1180. 1276
809	Kossman Development Company an encroachment to construct a cyclone fence on Alpena Street	1180, 1358
922	1902 Landmark Tavern, the privilege to construct at their own cost and expense a sidewalk café on a portion of the right-of-way of the sidewalk area on Market Place, 6th Council District	1381, 1453
923	Talkol, Inc. dba Bloomfield Drug Store, a license to construct a handicap ramp at 4727 Liberty Avenue in the 8th Ward	1381, 1488
924	North Shore Management, Inc. Firewaters, license to construct a sidewalk cafes on Federal and E. General Robinson Streets, in the 22nd Ward	1381. 1453

Encroachment

BILL NUMBER	*SUBJECT*	*PAGE*
995	Granting unto Ernest J. Sota an encroachment to construct at his own expense concrete steps on a portion of the right-of-way at 2210 & 2212 Jane Street, 17th Ward	1485, 1574
996	Granting unto Murland Associates an encroachment to construct at their own cost guiderails and electrical service conduits on Iroquois Way in the 4th Ward	1485, 1574
997	Granting unto Roxanne Runco an encroachment to construct a double-faced projecting sign over the sidewalk area of 2005 E. Carson Street, 17th Ward	1485, 1619
998	Granting unto Pittsburgh Riverdogs an encroachment to construct a two-sided projecting sign over the sidewalk area of 2301 E. Carson Street	1485, 1619
1047	Granting unto National City Bank an encroachment to construct, a four inch concrete pad on a portion of the sidewalk area of Western Avenue, 21st Ward	1555

Fees

BILL NUMBER	*SUBJECT*	*PAGE*
1046	Establishing the 1999 fee schedule for rental of shelter permits	1555
1048	Authorizing the Director of Parks and Recreation to increase certain admission fees at the Schenley Park Ice Skating Rink, January 1, 1999	1555, 1626
1049	Establishing a schedule of fees for the swimming pools for 1999	1555, 1626,1660

Fees

BILL NUMBER	*SUBJECT*	*PAGE*
1080	Prohibiting the Imposition of fees for youth programs in the Community Enrichment Program	1592, 1660

Grant

BILL NUMBER	*SUBJECT*	*PAGE*
186	Filing of an application for a grant through the 1998 Rivers of Steel/PA Heritage Parks Program in connection with the Phase II of the Rehabilitation of South Side Riverfront Parks Project	209, 284
349	Grant application to the Pennsylvania Heritage Parks program in the amount of $15,000.00 for a feasibility study for extending the Steel Industry Heritage Trail	450, 535
427	U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program	567, 656
501	Grant in connection with the Job Training Partnership Act and/or the Joint Jobs Initiative Program Single Point of Contact project	671, 755
865	Filing of application in connection with Referral of Housing Discrimination with Referral of Housing Discrimination Charges HUD/FHP	1264, 1385
953	Authorizing the City of Pittsburgh to submit four grant applications to and execute relevant agreements with the Pennsylvania Keystone Recreation, Park and Conservation Fund Program	1416, 1489

Grant

BILL NUMBER	SUBJECT	PAGE
990	Commonwealth of PA Department Transportation in connection with the Federal State and Community Highway Safety program	1484, 1668

Grant (Amending)

BILL NUMBER	SUBJECT	PAGE
216	Amending Resolution 401/1997 by increasing the amount available for subcontractor agreements by $2,115,204.00	234, 323
217	Amending Resolution 402/1997 by increasing the amount available for subcontractor agreements by $624,604.00	234, 323
426	Amending Resolution 643/1997 so as to transfer $450,000.00 from the Department of Public Works to the Department of Engineering & Construction "For Play Area Safety Improvements"	566, 655
449	Amending Resolution 668/1997, for a grant in connection with the 1995 CDBG Program, so as to decrease a line item in the Department of Parks & Recreation (Youth Curfew Program) and create a new line item in the Department of Engineering & Construction (Overbrook Senior Center)	601, 680
450	Amending 81/1996, for a grant in connection with the 1990 CDBG Program, so as to reduce a line item in the Department of Parks & Recreation (Partner in Parks) and create a new line item in the Department of Engineering & Construction (Overbrook Senior Center)	602, 680

Grant (Amending)

BILL NUMBER	SUBJECT	PAGE
500	Amending Resolution 291/1998, so as to transfer $400.00 from the Department of City Planning (administrative account) to the Finance Department (Sideyard Program)	671, 762
572	1993 Community Development Block Grant Program" so as to transfer funds from a line item in the Department of Parks and Recreation to several projects in City Council	785, 869
574	1994 Community Development Block Grant Program, transferring funds from a project in City Council to other projects in City Council	786, 870
659	Amending Resolution 362/1998 1998 CDBG Program so as to change the name of a project in City Council	930, 973

Lease

BILL NUMBER	SUBJECT	PAGE
19	Between City of Pittsburgh as Landlord and Phipps Conservatory, Inc., as Tenant, entered into pursuant to the authority conferred by Resolution 798/1993	32, 55
205	Lease for use of certain city property located at Second and Johnston Avenues, 15th Ward, by the Hazelwood Neighborhood Maintenance Task Force as a public park for the nominal sum of $1.00	232, 283

Lease

BILL NUMBER	*SUBJECT*	*PAGE*
261	Authorizing the Citizens Police Review Board and the City's Director enter into lease agreement for the leasing of the board's office premises for a two year term cost not to exceed $74,008.08	313, 359

Lease Agreement

BILL NUMBER	*SUBJECT*	*PAGE*
261	Authorizing the Citizen's Police Review Board and the City's Director of the Department of General Services to enter into a lease agreement for the leasing of the board's office premises. For a term of two (2) years at a cost not to exceed $74,008.08	313, 359
648	Leasing of facility and office space and parking area located in the former Commonwealth of PA Police Barracks located on Washington Boulevard to the Pittsburgh Housing Authority for a term of five years at a rental rate of $1.00 per year	928, 1017
649	564 Forbes Associates L.P. for space in the Manor Building for a term of three (3) years, cost not to exceed $63,000	928, 1017
857	Authorizing the Mayor and Solicitor to enter into a lease and agreement with the Boys and Girls Club of Western PA in connection with the construction of a community recreation and park facility in Leslie Park, 9th Ward	1263, 1372

Lease Agreement (Amending)

BILL NUMBER	*SUBJECT*	*PAGE*
974	Resolution authorizing the Citizens Police Review Board to enter into a Lease Agreement for the leasing of the Board's office premises", by changing the terms of the lease, amending Resolution 182/1998	1451, 1526

License Agreement

BILL NUMBER	*SUBJECT*	*PAGE*
442	Duquesne Light Company to grant the privilege and license at its own cost, to install repair, renew and finally remove 1 pole together with crossarms, cables and wires, certain property of the City's Volunteers Ballfield No. 2, 29th Ward, District 4	601, 688
527	For the use of certain property for Senior Citizens facilities not to exceed $155,367.00	720, 802

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
22	Voicing strong support for an increase in the Occupational privilege tax from $10 to $30	32
88	Directing the Controller to perform a fiscal audit of the City of Pittsburgh's 911 Emergency Telephone Act Trust Fund including all revenue and expenditures since the establishment of the Trust Fund	107, 165

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
161	Authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Economic Development Marketing fund, dedicated to attracting jobs and businesses to the City of Pittsburgh, cost not to exceed $75,000.00	186, 272
353	Authorizing the Director of Parks and Recreation and Public Works to develop a pilot program for designated areas established as "Off-Leash Exercise Areas" to afford citizens the opportunity to lawfully exercise licensed dogs with appropriate restrictions and safeguards	450, 682
402	Directing the Department of Finance of the City to establish a memorandum of understanding for excluded tax lien properties, repurchased tax lien properties, additional/subsequent tax lien property sales, establishment of a property reserve and a property reserve trust fund	530, 754
404	Directing the Solicitor of the City of Pittsburgh and the Director of the Department of Finance to draft ANTI-WINDFALL PROVISIONS from Allegheny County property reassessments within 30 days of final passage of this resolution	531, 603
448	Accepting the Dedication of a portion of South 20th Street, 16th Ward, 3rd Council District	601, 677

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
471	Approving the redevelopment proposal dated March 1998, including Modification No. 6 to the Redevelopment Area Plan, for Redevelopment activities in portions of Redevelopment Area No. 10 East Liberty	642, 838
492	Directing the Mayor, Director of Public Works and Director of City Planning to issue a competitive Request for Proposal from eligible companies for the purpose of instituting, at no cost to residents, a community based transit shelter program at selected sites along the public right of way in non-residential corridors throughout the City of Pittsburgh	670, 801
497	Authorizing and directing the Administration to establish a Committee to review issues of public safety, parking and infrastructure on the South Side slopes	670
498	Authorizing and directing the Mayor and Fire Bureau to perform a comprehensive study of the City's fire apparatus equipment relative to utilization and accessibility in the City of Pittsburgh	670
547	Mayor and the City Solicitor to file a formal complaint with the state of Pennsylvania Public Utilities Commission regarding the compliance of Consolidated Rail with its existing Maintenance and Public Passage Obligations at the 10th and 15th Street Pedestrian Foot Bridges	753

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
567	Establishing a Committee to recommend improvements to old facilities and construction of new soccer facilities throughout the City	784, 976
569	Redevelopment Proposal dated June 1998 including Modification No. 9 to the Chartiers Valley Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 24, Broadhead Fording, 28th Ward	784, 972
654	Authorizing and directing the Director of the Department of City Planning to establish a Zoning Code Review Committee in conjunction with Legislation revising the Zoning Code in its entirety	929, 1005
656	Authorizing and directing the Chief of Police to purchase 14 additional A-weighted sound meters for adequate enforcement of the Unnecessary Noise and sound Amplifying Devices ordinance at a cost not to exceed $15,000.00	929, 1019
666	Amending Resolution 1050 to show a change in the amount of $178,000.00	933, 990
669	Authorizing to exchange a part of City-owned parcel for an equal amount of private property. All parcels being located in the Elliott Greenway and West End Overlook	933, 991
736	Authorizing the Mayor and the City's Computer Information Services to take measurers to allow pensioners the option of having the electronic bank deposit of Municipal, Fire or Police pension checks	1055, 1133

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
741	Authorizing Raymond V. Demichiei, Supervisor, Bureau of Communications to execute on behalf of the City all required forms and reports for disaster relief under the Federal Stafford Act	1080, 1144
762	Authorizing and directing the Treasurer, City of Pittsburgh to immediately determine the appropriate obligation and requirement of all professional sports players to pay annual city taxes	1118, 1190
772	Authorizing the Mayor to promulgate guidelines for arrest without warrant pursuant to Title 42 Pennsylvania Consolidated Statutes, Section 8902. Arrest Without Warrant	1119
791	Resolution submitting guidelines to effectuate warrantless arrests for public drunkenness	1156, 1421
811	Directing the Director of the Office of Management and Budget and City Council's Budget Director in conjunction with a committee whose composition will be specified below, to develop and implement a SERVICES IN LIEU OF TAXES PLAN as it relates tot services currently provided to the City for a cost and which could be performed by non-profit service providers locate din the City of Pittsburgh in lieu of taxes to the City	1180, 1321

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
812	Directing the Chief of Bureau of Building Inspection and the Chief Magistrate to forward a report to City Council detailing the entire citation proves and court process for constituent complaints regarding problem properties	1180, 1290
813	Directing the Chief of Bureau of Building Inspection and the Chief Magistrate to submit in writing within 90 days of the passage of this legislation any budgetary recommendations rendering better services to City constituents	1180, 1290
814	Directing the City Solicitor, Chief of Bureau of Building Inspection and Chief Magistrate to forward an idea paper within 90 days of the passage of this legislation advising City Council on what City and/or Commonwealth legislative initiatives are needed in order to improve the process for constituents regarding problem properties	1181, 1290
841	Authorizing the Mayor, Solicitor, Director of Finance and Budget and the Director of General Services to cease and desist in any and all of their actions which in any way contribute to the administration's attempt to outsource or privatize the City of Pittsburgh's municipal waste, garbage and recycling collection	1242

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
844	Directing the Department of Public Works and Engineering and Construction to provide various services in support of Soldiers and Sailors Memorial Hall in relation to their Regional Asset District (RAD) Funding status	1243, 1284
845	Supporting and approving the Application for Nomination as an Empowerment Zone prepared in conjunction with the cities of Duquesne & McKeesport, the Borough of Homestead, Rankin	1243, 1284
880	Resolution authorizing and directing the Controller of the City of Pittsburgh to perform a review regarding the collection of the City of Pittsburgh Amusement Tax	1313, 1356
895	Authorizing and directing the Treasure to immediately comply with the provisions of Article VII Business Related Taxes, Chapter 241 Amusement Tax as it relates to the Pittsburgh Penguins and their fraudulent collection of the City's 5% Amusement Tax; communicating to the District Attorney and authorizing the Solicitor to initiate legal action	1348
896	Providing for the acquisition of Lot & Block 61-S-292 located at Whited and Jacob Street from the Housing Authority of the City of Pittsburgh, cost not to exceed $20,000.00	1348, 1390

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
903	Authorizing the Mayor and the Director of Finance on behalf of the City of Pittsburgh to grant a license to Pittsburgh Economic and Development Cororation, a non-profit corporation	1350, 1418
919	Designating an unimproved non-thoroughfare portion of Point State Park as a Peace Garden	1381, 1456
925	Redevelopment Proposal dated October 1998 including Modification NO. 7 to the Redevelopment activities in a portion of Resolution Area No. 12; Allegheny Center, 22nd Ward	1382, 1658
951	Approving the merger of the Southwestern Pennsylvania Regional Planning Commission and the Southwestern Pennsylvania Regional Development Council, Inc. and approving its membership in the New Organization to be known as the Southwestern Pennsylvania Commission	1415, 1489
967	Authorizing the Mayor or the Director of Finance to enter into an agreement with an Accreditation Council of the American Public Work Association	1450, 1619
970	Authorizing and directing the Director of Public Works to form a citywide task force to serve as liaison between the Community groups, City Departments, City Council and the Mayor's Office in identifying properties and working to abate said problems	1451, 1619

Miscellaneous

BILL NUMBER	*SUBJECT*	*PAGE*
975	Authorizing and directing the Mayor and City Solicitor to request to LTV Steel Company involved in the development and remediation and reuse plans for the LTV"S Hazelwood Coke and By-Products plants	1451, 1521
993	Directing the Mayor and the Director of Finance and the Budget to sell and transfer all that real property and landslide building known as the City of Pittsburgh River Rescue Center to the Stadium Authority for a sale price of $2,500,000.00	1485
994	Directing the Treasurer of the City of Pittsburgh to make appropriate changes to the City of Pittsburgh's earned income tax regulations and procedures so as to include the requirement of all professional sports players working in the City of Pittsburgh on a part time basis to pay the City's earned income tax	1485
1052	Providing for the addition of the property located at 920 Ft. Duquesne Boulevard known as the Syria Mosque Site), in the Fourth Ward, City of Pittsburgh, to the existing Oakland Civic Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances	1556
1058	Adopting the agreement between the Mayor and Pittsburgh Fire Fighters Local NO. 1 extending the current collective bargaining agreement until December 31, 2001	1557, 1611

Miscellaneous

BILL NUMBER		*SUBJECT*	*PAGE*
1085		Resolution continently exempting taxes within a specific geographic area in the City of Pittsburgh designated as a proposed Keystone Opportunity Zone in order to foster economic opportunities, stimulate industrial, commercial, residential improvements and prevent physical infrastructure deterioration within areas of the City of Pittsburgh, Commonwealth of PA	1593, 1684
4	Cohen, Dan	Certificate of Election, Council District 8	3
	Diven, Daniel R.	Administering the Oath of Office to Councilman Alan Hertzberg	3
2	Diven, Michael	Certificate of Election, Council District 4	2
1	Hertzberg, Alan	Certificate of Election , Council District 2	2
	Johnson-Wasler, Li	Conducting the First Meeting of 1998, Swearing in ceremony	1
	Nomination	McDonald, Valerie, President Pro Tempore	6
	Nomination	O'Connor, Bob, President of City Council	6
	Petrone, Thomas C.	Administering the Oath of Office to Councilman Michael Diven	3
	Rabbi Busch	Leading Council's Meeting of January 5, 1998 with the invocation	1
	Robert Dauer	Administering the Oath of Office to Dan Cohen	3
3	Udin, Sala	Certificate of Election, Council District 6	3
	Walter Little	Administering the Oath of Office to Sala Udin	3

Motion

	SPEAKER	SUBJECT	PAGE
187	Cohen, Dan	Recommit Bill 187, Contract for the purchase of materials, supplies and equipment in connection with the Wall, Step and Fence Program	242
195	Ferlo, Jim	Override the Mayor's veto on council bill 195, Veterans Place	348
12	McDonald, Valerie	Override the mayor veto on Bill No. 12, amending Chapter 111	133
	Recommit	Recommit Bill 27, Professional Services Agreement with KPMG Peat Marwick	53
72	Recommit	Recommit Bill 72 An Agreement purchase of computer equipment in conjunction with the Consent Decree Implementation	136
329	Recommit	Recommit Bill 329 - Agreement with the administration of HOPWA, cost not to exceed $463,000.00	492
425	Recommit	Bill 425 - Consult for record support of studies, $472,543.05	658
720	Recommit	Recommit Bill 717 Cooperation Agreement with the URA of Pittsburgh, The County and The School District terminating Center Triangle Tax Incremental Financing District and making certain findings also Bill 720, Adopting Amendment NO. 1 to the Center Triangle Tax Incremental Financing Plan	1361
1085	Table	Bill 1085 - Resolution continently experimenting taxes with a specific geographic area in the City of Pittsburgh designated as a proposed Keystone Opportunity Zone	1684

Name Change

BILL NUMBER	*SUBJECT*	*PAGE*
68	Change the name of the "Look Out Street Park" to the "The Huck Fenrich Memorial Park" located in Troy Hill	83
348	Changing the name of The Hill Road between Bunker Hill Street and Washington Boulevard to One Wild Place in the 11thWard, 7th Council District	449, 534
528	Authorizing the Mayor to change the name of the Shaler Parklet Playground to the Eileen McCoy Playground	720, 802
596	Authoring the Mayor and the Director of the Department of Parks and Recreation to change the name of the Look-Out Street Playground tot he Andrew Huck Fenrich Memorial Playground	831, 912
790	Change the Phillips Park Recreation Center to the "Harry Readshaw Gymnasium"	1156, 1289
999	Changing the nave of Verona Place from Lincoln Avenue property line 7540.22 feet northwardly in the 12th Ward, 9th Council District	1485, 1574
1043	Changing the name of a portion of Stack Way in the 9th Ward to Veterans Way	1554, 1619
1082	Naming the footbridge that extends over Route 20 to the Sarah Heinz House the Charles J. Lieberth Pedestrian Walkway	1592, 1651

Petition

BILL NUMBER	*SUBJECT*	*PAGE*
909	A Petition from the residents of the City of Pittsburgh requesting a Public Hearing before City Council regarding fire safety issues in the South Side Slopes	1351
1066	Petition from the residents of the City of Pittsburgh requesting a public hearing on the city budget, with emphasis on the use of CDBG funding and the impact on neighborhood development	1557
1097	Petition from the residents of the City of Pittsburgh requesting a Public Hearing on anti-littering ordinance, section 60111 of the Pittsburgh Code	1599

Pledgee

SPEAKER	*SUBJECT*	*PAGE*
Bechtell, Kelsey	Leading Council's meeting of April 6, 1998 in the Pledge of Allegiance	370
Beichner, Patrick	Leading Council's meeting of March 10, 1998 in the Pledge of Allegiance	228
Beichner, Timothy	Leading Council's meeting of March 10, 1998 in the Pledge of Allegiance	228
Brown, Alyssa	Leading Council's meeting of November 17, 1998 in the Pledge of Allegiance	1440
Bubacz, Jessica	Leading Council meeting of February 10, 1998 in the Pledge of Allegiance	118
Casey, Hicks	Leading Council's meeting of October 6, 1998 in the Pledge of Allegiance	1217

Pledgee

SPEAKER	*SUBJECT*	*PAGE*
Cobb, Jennifer	Leading Council's meeting of October 6, 1998 in the Pledge of Allegiance	1217
Dixon, Sharaya	Leading Council's meeting of October 27, 1998 in the Pledge of allegiance	1335
Edwards, Catherine	Leading council's meeting of January 20, 1998 in the Pledge of Allegiance	42
Edwards, David	Leading council's meeting of January 20, 1998 in the Pledge of Allegiance	42
Faulk, Jennifer	Leading Council's meeting of October 20, 1998 in the Pledge of Allegiance	1299
Fauth, Bridgette	Leading Council's meeting of July 14, 1998 in the Pledge of Allegiance	883
Flaherty, Kevin	Leading council's meeting of May 12, 1998 in the pledge of allegiance	550
Fuller, Danielle	Leading council's meeting of December 1, 1998 in the Pledgee of Allegiance	1510
Geis, Sean	Leading council's meeting of April 21, 1998 in the pledge of allegiance	441
Grattan, Edward	Leading Council's meeting of October 13, 1999 in the Pledge of Allegiance	1255
Istik, Anthony	Leading Council's meeting of April 14, 1998 in the Pledgee of allegiance	415
Johnson, Heather	Leading council's meeting of March 3, 1998 in the Pledge of Allegiance	206
Kavanagh, Shauna	Leading Council meeting of July 7, 1998 in the Pledge of allegiance	

Pledgee

SPEAKER	*SUBJECT*	*PAGE*
Kerestes, Julian	Leading Council's meeting of June 23, 1998 in the Pledge of Allegiance	777
Killmeyer, Amanda	Leading Council's meeting of February 3, 1998 in the Pledge of Allegiance	105
Killmeyer, Julia	Leading Council's meeting of February 3, 1998 in the Pledge of Allegiance	105
King, Aleshia	Leading Council's meeting of November 2, 1998 in the Pledge of Allegiance	1377
King, Ilona	Leading Council's meeting of November 2, 1998 in the Pledge of Allegiance	1377
Krywicki, Jilliam	Leading Council's meeting of July 14, 1998 in the Pledge of Allegiance	883
Leff, Mara	Leading Council's meeting of September 22, 1998 in the pledge of Allegiance	1146
Lyman, Shayla	Leading Council's meeting of November 23, 1998 in the pledge of allegiance	1474
Manion, Katlyn	Leading Council's meeting of December 8, 1998 in the Pledge of Allegiance	1539
McClain, Richard	Leading Council's meeting of July 28, 1998 in the Pledge Allegiance	954
McDonald, Shelia	Leading Council's meeting of March 24, 1998 in the Pledge of Allegiance	296
McKee, Kornell	Leading Council's meeting of September 28, 1998	1174
McKenzie, Paige	Leading Council's meeting of May 26, 1998 in the Pledge of Allegiance	633

Pledgee

SPEAKER	*SUBJECT*	*PAGE*
McKree, William	Leading Council's meeting of September 28, 1998	1174
McNeil, James	Leading Council's meeting of March 17, 1998 in the Pledge of Allegiance	249
Melich	Leading Council's meeting of March 10, 1998 in the Pledge of Allegiance	228
Moore, Melvin	Leading Council's meeting of November 23, 1998 in the pledge of allegiance	1474
Morrill, Molly	Leading Council's meeting of March 17, 1998 in the Pledge of Allegiance	249
Ms. Mavrogeogis	Leading Council's meeting of February 17, 1998 in the pledge of allegiance	156
Ms. Woznaik	Leading Council's meeting of February 17, 1998 in the pledge of allegiance	156
Murtha, Allison	Leading Council's meeting of March 31, 1999 in the Pledge of Allegiance	335
Onorato, Kate	Leading council's meeting of August 3, 1998 in the Pledge of Allegiance	983
Peduto, Elizabeth	Leading council's meeting of July 21, 1998 in the Pledgee of allegiance	915
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Pelled, Shani	Leading Council's meeting of January 27, 1998 in the Pledge of Allegiance	66

Pledgee

SPEAKER	*SUBJECT*	*PAGE*
Pini, David	Leading Council's meeting of March 10. 1998 in the Pledge of Allegiance	228
Recktenwald, Alex	Leading Council's meeting of December 29, 1998 in the Pledge of Allegiance	1673
Riveria, Raine	Leading Council's meeting of December 8, 1998 in the Pledge of Allegiance	1539
Sanns, Ashley	Leading Council meeting of September 1, 1998 in the Pledge of Allegiance	1042
Sanns, Sean	Leading Council meeting of September 1, 1998 in the Pledge of Allegiance	1042
Senkow, Chris	Leading Council's meeting of March 10, 1998 in the Pledge of Allegiance	228
Seppi, Johnathan	Leading Council's meeting of March 17, 1998 in the Pledge of Allegiance	249
Stern, Michael	Leading Council's meeting of December 15, 1998 in the Pledge of Allegiance	1583
Stiller, Robin	Leading Council's meeting of May 18, 1998 in the Pledgee of Allegiance	589
Students of Squirrel	Leading Council's meeting of February 24, 1998 in the Pledge of Allegiance	178
Swain, Ishmael	Leading Council's meeting of June 30, 1998 in the Pledge of Allegiance	818
Tall, Marcus	Leading Council's meeting of October 6, 1998 in the Pledge of Allegiance	1217

Pledgee

SPEAKER	SUBJECT	PAGE
Teele, Emily	Leading Council's meeting of December 15, 1998 in the Pledge of Allegiance	1583
Titus, Brandon	Leading Council's meeting of October 6, 1998 in the Pledge of Allegiance	1217
Tokarski, John	Leading Council's meeting of April 28, 1998 in the Pledge of Allegiance	475
Weiskopf, Ava	Leading Council's meeting of May 18, 1998 in the Pledgee of Allegiance	589
Whitlock, Pamela	Leading Council meeting of June 9, 1998 in the Pledge of Allegiance	701
Williams, Michael	Leading Council meeting of June 2, 1998 in the Pledgee of Allegiance	661
Williams, Michael	Leading Council's meeting of June 2, 1998 in the pledge of allegiance	661
Wolfgang, Remingt	Leading Council meeting of June 2, 1998 in the Pledgee of Allegiance	661
Wolfgang, Remingt	Leading Council's meeting of June 2, 1998 in the pledge of allegiance	661
Young, Mallory	Leading council's meeting of September8, 1998 in the Pledge of Allegiance	1073
Zatek, Danita	Leading Council's meeting of June 16, 1998 in the Pledge of Allegiance	737
Zatek, Ondrejana	Leading Council's meeting of June 16, 1998 in the Pledge of Allegiance	737

Re-Appointment

BILL NUMBER	SPEAKER	SUBJECT	PAGE
385	Board, George, Dr.	Member of the Human Relations Commission, term to expire April 1, 2002	501, 643

Re-Appointment

BILL NUMBER	SPEAKER	SUBJECT	PAGE
307	Davis, Ann	Member of the Pittsburgh Water & Sewer Authority term to expire December 31, 2000	396
38	Eaton, Joseph, Dr.	Member of the Cable Communications Advisory Committee term to expire December 31, 1999	35
133	Fees, Richard	Member of the Pittsburgh Water & Sewer Authority for a term to expire January 1, 2003	144
380	Fife, Jess W.	Member of the Zoning Board of Adjustment, term to expire April 30, 2001	500, 643
383	Fox, Alma	Member of the Human Relations Commission, term to expire April 1, 2002	500, 672
58	Frankel, Dan	Reappointment to the Urban Redevelopment Authority, term to expire 2002	56, 85
40	Koerth, Jonathan R.	Member of the Cable Communications Advisory Committee term to expire December 31, 2001	35
39	Lancia, Gil	Member of the Cable Communications Advisory Committee term to expire December 31, 2001	35
381	Levine, Clifford	Member of the Zoning Board of Adjustment, term to expire April 30, 2001	500, 643
378	McDonald, Valerie	Member of the Public Parking Authority term to expire April 30, 2003	500
382	Murrin, Regis	Member of the Zoning Board of Adjustment, term to expire April 30, 2001	500, 643

Re-Appointment

BILL NUMBER	SPEAKER	SUBJECT	PAGE
384	Pittinger, Elizabeth	Member of the Human Relations Commission, term to expire April 1, 2002	501, 672
308	Redwood, Carl	Member of the Cable Communication Advisory Committee, term to expire December 31, 2000	396
379	Ross, Anthony	Member of the Public Parking Authority, term to expire April 30, 2003	500
386	Simpson, B.J.	Member of the Human Relations Commission, term to expire April 1, 2002	501, 672
172	Udin, Sala	Member of the Housing Authority of the City of Pittsburgh, term to expire December 31, 2002	197
173	Wilson, Ronald	Member of the Housing Authority of the City of Pittsburgh, term to expire December 31, 1998	197

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
101	All Members	Extending good will to the Aremenian group	122
962	All Members	Proclaiming Sunday November 22, 1998 as ZOA Day in the City of Pittsburgh	1447
8	Cohen, Dan	Commending Central Blood Bank of Pittsburgh	29
9	Cohen, Dan	Congratulating Judy and Check Perlow for their dedication to Jewish Education	29
140	Cohen, Dan	Expressing its gratitude for McGann & Chester Towing, Inc.'s efforts on behalf of the Bloomfield Business Association	163

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
224	Cohen, Dan	Congratulating The Western Pennsylvania Hospital for providing 150 years of Excellence in health care and declaring March 18, 1998 at The Western Pennsylvania Hospital Founder's Day	253
225	Cohen, Dan	Commending and thanking the Pittsburgh Center for the Arts for 53 years of dedicated service to our City's arts community	254
226	Cohen, Dan	Commending and thanking Cookie Danovitz for his dedicated years of services to our community	255
292	Cohen, Dan	Declaring April 8, 19998 as James C. Roddey Day in the City of Pittsburgh	376
339	Cohen, Dan	Commending Hannah and Marvin Kamin for their dedicated years of service to our community	447
388	Cohen, Dan	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513
414	Cohen, Dan	Declaring May 1998 as Breathe East month in the City of Pittsburgh	555
418	Cohen, Dan	Declaring May 7, 1998 to be Lynn Cullen Day in the City of Pittsburgh	564
435	Cohen, Dan	Declaring Corpus Christi Residence Day in the City of Pittsburgh in the City of Pittsburgh	592
439	Cohen, Dan	Commending the good work of Pittsburgh Cares and Wishes it much success on its third annual Servathon	637
439	Cohen, Dan	Commending the good work of Pittsburgh Cares and wishes it much success on its third annual Servathon	600

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
461	Cohen, Dan	Declaring, May 28, 1998 as Lynn Snyderman Irwin Day in the City of Pittsburgh	640
481	Cohen, Dan	Declaring June 5, 1998 as Party for Planet Pittsburgh Day in the City of Pittsburgh	665
482	Cohen, Dan	Commending the organizers of the picnic/outreach program during Teen Pregnancy Prevention Month	667
540	Cohen, Dan	Commending the Jewish Healthcare Foundation of Pittsburgh, the Forbes Fund, The Robert Wood Johnson Foundation, the United Way of Allegheny County and other founders sponsoring the National Senior Volunteer Summit	741
543	Cohen, Dan	Commending and thanking Ethel Ruben for dedicated years of service to our community and to Israel	751
620	Cohen, Dan	Declaring July 14, 1998 as John Rahaim Day in the City of Pittsburgh	884
757	Cohen, Dan	Declaring September 15, 1998 as Lynn and Steven Irwin Day in the City	1115
802	Cohen, Dan	Congratulating the Pittsburgh CISD Team on its Tenth Anniversary	1179
944	Cohen, Dan	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
945	Cohen, Dan	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
983	Cohen, Dan	Commending the City of Pittsburgh Department of Parks and Recreation for consistently producing a wonderful public event, our Great Race	1480
893	Diven Michael	Declaring October 26, 1998 to be "Pittsburgh Police Bureau Volunteer Day" in the City of Pittsburgh	1347
	Diven, Michael	Declaring Tuesday, June 2, 1998 as Ben Foster Day in the City of Pittsburgh	662
99	Diven, Michael	Declaring February 8, 1998 ad Cub Scout Blue and Gold Day in the City of Pittsburgh	119
134	Diven, Michael	Commending and congratulating Sylvia Mavrogeorgis on her excellent	156
135	Diven, Michael	Recognizing Julia Wozniak for her outstanding academic record and invaluable service to her community and wishes here the best in future endeavors	157
227	Diven, Michael	Endorsing The Charter For Change as a democratic agenda that must be enacted to ensure that peace, justice and full reconciliation are achieved in Ireland	256
337	Diven, Michael	Congratulating Sean Patrick Geis for his determination and dedication to achieving the highest honor in scouting-the eagle scout award	442
388	Diven, Michael	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
389	Diven, Michael	Declaring May 3 - 9, 1998 as Police Memorial Week in the City of Pittsburgh	513
390	Diven. Michael	Declaring May 9, 1998 as P.A.C.T. day in the City of Pittsburgh	516
413	Diven, Michael	Declaring the month of June 1998 as World Peace Month in the City of Pittsburgh	551
459	Diven, Michael	Commending John A. Brashear High School Interact Club	633
479	Diven, Michael	Declaring Tuesday, June 2, 1998, Ben Foster Day in the City of Pittsburgh	662
480	Diven, Michael	Declaring June 7, 1998 as St. Catherine of Siena School Day in the City of Pittsburgh	663
621	Diven, Michael	Congratulating Team Phillips on their first championship win	888
622	Diven, Michael	Congratulating Team Phillips on their first championship win - Justin Levey	888
642	Diven, Michael	Declaring July 21, 1998 as Chief Charlie Dickinson Day in the City of Pittsburgh	916
705	Diven, Michael	Declaring, September 1, 1998 as Terry O'Leary Day in the City of Pittsburgh	1043
800	Diven, Michael	Declaring October 1998 as Domestic Violence Awareness Month	1175
824	Diven, Michael	Declaring the week of October 4 - 10 as to be Fire Prevention Week in the City of Pittsburgh	1218
829	Diven, Michael	Proclaiming October 6, 1998 as Ms. Denise Revoir Segers Day	1226

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
944	Diven, Michael	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
959	Diven, Michael	Welcoming Mayor William McClure and the Colerain District Council to our great city and wishes them well in their efforts to promote Northern Ireland's potential as an investment location for U.S. Companies	1441
960	Diven, Michael	Declaring November 13, 1998 as "Rita Wilson Kane Day in the City of Pittsburgh	1444
1032	Diven, Michael	Congratulating the Brashear High School Girls Soccer Team	1540
1075	Diven, Michael	Declaring December 20 - 27, 1998 as "Project Blue Light Week" in the City of Pittsburgh	1584
1078	Diven, Michael	Declaring December 17, 1998 to be Pittsburgh Police Retirees Day in the City of Pittsburgh	1591
945	Diven, Michale	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411
603	Dvien, Michael	Welcoming, Joanne Kavanagh, Rachael Kavanagh, Shauna Kavanagh, Stacey Claffery and Aran McGarrigale to the United States	842
43	Ferlo, Jim	Urging federal elected official and President Clinton to move toward normalization of relations with the people of Cuba	43

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BILL NUMBER	SPEAKER	SUBJECT	PAGE
60	Ferlo, Jim	Urging LTV Corporation to maintain the Hazelwood Facility	74
100	Ferlo, Jim	Commending United Way's Day of Caring Employees from the Controller's Office	119
228	Ferlo, Jim	Council of the City of Pittsburgh, that we implore the United States House of Representative and the United States Senate to Pass H.R. 1151	259
229	Ferlo, Jim	Declaring March 19, 1998 to be Absolutely Incredible Kid Day in the City of Pittsburgh	262
252	Ferlo, Jim	Declaring March 29 - April 3, 1998 as Head Start Week in the City of Pittsburgh	297
291	Ferlo, Jim	U.S. Postal Service Citizen's Stamp Advisory Committee to designate a Centennial Stamp in 1998 in honor of the life time achievements of Paul Robeson	372
360	Ferlo, Jim	Declaring May 3, 1998 as UPMC Health System/City of Pittsburgh Marathon Day in the City	477
362	Ferlo, Jim	Council of the City of Pittsburgh calls upon our government to promptly begin negotiations of a treaty to prohibit and eliminate all nuclear weapons and to complete these negotiations by the year 2000	481
388	Ferlo, Jim	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513
511	Ferlo, Jim	Declaring June 12, 1998 as Comedy Relief Pittsburgh Day in the City	704

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
541	Ferlo, Jim	Calling on Pittsburgh area consumers and organizations to immediately write consumer letters of support for the Nabisco baker, its products and its employees by writing Nabisco Biscuit Company	743
542	Ferlo, Jim	Proclaiming June 20, 1998 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	747
604	Ferlo, Jim	Declaring July 7, 1998 to be Samuel J. Wright Day in the City of Pittsburgh	844
694	Ferlo, Jim	Thanking UPMC Health System, The American Red Cross and all other sponsors of Save A Life Saturday	985
706	Ferlo, Jim	Declaring September 7, 1998 as "United Labor Day Parade Day" in the City	1045
801	Ferlo, Jim	Imploring the residents of Lawrenceville and its surrounding neighborhoods take advantage of the multitude of opportunities that the health Fair presents	1177
827	Ferlo, Jim	Congratulating Lawrenceville Alive Community Garden Contest	1222
851	Ferlo, Jim	Congratulating Pittsburgh Golf 50's Softball Team	1256
852	Ferlo, Jim	Recognizing the Garfield Heights Advisory Committee	1260
872	Ferlo, Jim	Council's support to fund a minimum of $1.6 million dollars in the 1999 City budget for the first of a five year commitment to the Neighborhood Business District Revitalization Program	1301

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
873	Ferlo, Jim	Recognizing the hard work of the Lawrenceville Halloween Parade Committee	1306
890	Ferlo, Jim	Declaring Saturday, October 31. 1998 as "DOS ALAS DAY" in the City of Pittsburgh	1341
944	Ferlo, Jim	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
945	Ferlo, Jim	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411
961	Ferlo, Jim	Declaring November 19, 19998 as "National Philanthropy Day in the City of Pittsburgh	1445
1103	Ferlo, Jim	Declaring December 21 - 27, 1998 - Bill Cardille Week in the City of Pittsburgh	1634
5	Hertzberg, Alan	Proclaiming January 1998 as Financial Literacy for Youth Month	23
101	Hertzberg, Alan	Extending good will to the Aremenian group	122
175	Hertzberg, Alan	Congratulating Eagle Scout Stephanos Michael Lignos on his recent achievement and commends him for his accomplishments	207
253	Hertzberg, Alan	Declaring March 25 - March 27, 1998 as Exploring the World of Diversity Days in the City	302
340	Hertzberg, Alan	Congratulating The Mount Washington Congregational Church to celebrate 125 years of service to God and Community	448

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
388	Hertzberg, Alan	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513
391	Hertzberg, Alan	City Council of Pittsburgh fully supports the proposed sale of the W & LE Properties in the South Hills of Allegheny County to the public, acting through the Pennsylvania Department of Transportation	518
510	Hertzberg, Alan	Congratulating each individual member for their great achievement as TEAM Players in the Langley High School Baseball Team	702
643	Hertzberg, Alan	Proclaiming July 25, 1998 as Walk N Roll Day in the City of Pittsburgh	922
679	Hertzberg, Alan	Authorizing the Clerk's Office will forward copies of this Resolution to U.S. Senators Specter and Santorum and Congressmen Jack Murtha and Bill Coyne	955
707	Hertzberg, Alan	Congratulating the Mario Lemieux Foundation for another successful Celebrity golf tournament	1047, 1651
750	Hertzberg, Alan	Commending the volunteers of the Western Pennsylvania Conservancy, Duquesne Light Company "Welcome Garden"	1099
751	Hertzberg, Alan	Wishing Father Robert Clarke success in his service to the Catholic Faith	1102
758	Hertzberg, Alan	Declaring September 12, 1998 as Robert S. Allen Day in the City of Pittsburgh	1116
828	Hertzberg, Alan	Declaring October 5-9, 1998 as Southwestern Pennsylvania Manufactures Week	1225

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
850	Hertzberg, Alan	Wishing Lamar and Helen Lee a Happy 50th Wedding Anniversary, October 10, 1998	1256
944	Hertzberg, Alan	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
1035	Hertzberg, Alan	Declaring December 5, 1998 as Elaine Caparelli Day in the City of Pittsburgh	1550
	McDonald, Valerie	Recognizing and commending The Pittsburgh Zoo for 100 years	417
44	McDonald, Valerie	Commending Dr. Ralph Proctor, Jr.	44
59	McDonald, Valerie	Proclaiming January 27, 1998 Alma Speed Fox Day	67
61	McDonald, Valerie	Supporting Youthbuild Pittsburgh, Inc.	80
86	McDonald, Valerie	Recognizing the commitment of the Pittsburgh Federal Executive Board African American History Month	106
87	McDonald, Valerie	Commending Brother Nate Hollis	106
104	McDonald, Valerie	Commending Mrs. Daisy Reed	125
136	McDonald, Valerie	Commending WAMO Radio for keeping Pittsburgh and surrounding areas "In Tune" for the last 50 years	159
137	McDonald, Valerie	Salutes the Greater Pittsburgh Council, Boy Scouts of America	161
138	McDonald, Valerie	Recognizing the Alpha Wives of Alpha Phi Alpha Fraternity	161
139	McDonald, Valerie	Commending Ms. Oseola McCarty for her personal commitment to African American youth	162

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
150	McDonald, Valerie	Recognizing many achievements of African Americans in arts, such as the Rogers School of Performing arts	182
151	McDonald, Valerie	Commending the Sickle Cell Society, Inc. and Mr. John C. Brown, Jr. for their efforts in committing to educate African-American and the community	184
254	McDonald, Valerie	Commending Dr. Jonne E. Burley on her dedication to our community in particular her promotion of Adult literacy	305
255	McDonald, Valerie	Commending Dr. Helen . Davis on her continued activism and indigenous work for our community	305
256	McDonald, Valerie	Commending Dr. Vernell . Lillie, for her unique talent of reaching and teaching African-American youth	308
256	McDonald, Valerie	Commending Dr. Vernell A. Lillie for her unique talent of reaching and teaching African American youth to push through barriers of race, gender and class to achieve excellence	305
258	McDonald, Valerie	Proclaiming March 1998 as Professional Social Work Centennial Month	313
258	McDonald, Valerie	Recognizing Carlow College, School of Social Work	313
272	McDonald, Valerie	Congratulating Sonya M. Toler for her notable and munificent service to our community	337
273	McDonald, Valerie	Congratulating Marcia A. Martin for her outstanding service to our community	337

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BILL NUMBER	SPEAKER	SUBJECT	PAGE
311	McDonald, Valerie	Commending the Western Pennsylvania Chapter of the National Society of Fund Raising Executives	424
361	McDonald, Valerie	Declaring, May 5, 1998 as Senior Interest Day in the City	478
361	McDonald, Valerie	Declaring May 5, 1998 as Senior Interest Day in the City of Pittsburgh	524
363	McDonald, Valerie	Recognizing and commending Mr. Melvin Carnell Blount on his outstanding football career	482
388	McDonald, Valerie	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513
395	McDonald, Valerie	Commending NEED for its lasting devotion to helping student achieve their goals	526
396	McDonald, Valerie	Commending The Honorable Livingstone Morris Johnson on his dedication to uphold the law and uplifting his community	527
397	McDonald, Valerie	Recognizing The Best Friends Program on its dedication to educating adolescent girls and guiding them in a positive direction	528
398	McDonald, Valerie	Commending and recognizing Ms. Ella Mae (Betty Phillips, Ms. Susie Jone Buckner and Cyrene Chapter No. 9 on their service to their chapter as well as their community	529
399	McDonald, Valerie	Recognizing Alleghenians, Ltd., Inc. for its continued dedication to educating the citizens of Allegheny County on health and medical issues	529

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
400	McDonald, Valerie	Recognizing the week of May 3-9, 1999 as "Municipal Clerk's Week and extends appreciation to all municipal clerks for the vital services they perform and their exemplary dedication to the communities they represent	530
460	McDonald, Valerie	Recognizing Jacqueline Hill for all her achievements and commends her for her dedication to the people of Pittsburgh	636
483	McDonald, Valerie	Commending Jack and Jill of America, Inc.	667
484	McDonald, Valerie	Commending The new Pennley Place Resident Council, Inc.	667
556	McDonald, Valerie	Commending Magistrate William T. Simmons on his honorable service to both his immediate community and the City of Pittsburgh	780
557	McDonald, Valerie	Commending Floyd L. Titus for his dedication and service to his country and City of Pittsburgh	781
558	McDonald, Valerie	Commending Elsie H. Hillman for her persistent and active interest in her community and the City of Pittsburgh	782
559	McDonald, Valerie	Commending William E. Strickland, Jr., on his ingenuity and leadership in the arts and with economically disadvantaged individuals	782
586	McDonald, Valerie	Commending the Lexington Center for devoting 115 years of service to the elderly African American Community	828

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
680	McDonald, Valerie	Recognizing the Young Women's Christian Association for its dedication to the empowerment of women and the struggle for freedom among all people	956
752	McDonald, Valerie	Commending the Lincoln Avenue Church of God for their efforts in initiating a positive change within our community	1103
753	McDonald, Valerie	Commending Vintage, Inc. for 25 years of dedication and commitment to Pittsburgh Seniors	1105
754	McDonald, Valerie	Commending the Fairview Park Association for preserving a historic landmark	1106
780	McDonald, Valerie	Commending the Pittsburgh Senior Interests Athletes for their outstanding performance at the Shippensburgh games	1147
829	McDonald, Valerie	Proclaiming October 6, 1998 as Ms. Denise Revoir Segers Day	1226
830	McDonald, Valerie	Declaring October 6, 1998 as Stivers Temporary Personnel Day in the City of Pittsburgh	1229
832	McDonald, Valerie	Commending Gateway Medical Society	1231
838	McDonald, Valerie	Declaring October 10, 1998 as Dr. M. Jocelyn Elders Day in the City of Pittsburgh	1241
853	McDonald, Valerie	Recognizing PACE for educating and enriching the lives of our youth	1262
876	McDonald, Valerie	Commending Reverend Doctor Georgea A. Fitch for 31 years of loyalty, dedication and devotion to Homewood A.M.E. Zion Church	1312

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
944	McDonald, Valerie	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
945	McDonald, Valerie	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411
984	McDonald, Valerie	Commending the organizers of Womanpower 98 as they act as a driving force within the community and join in honoring Dr. Mona Generett, recipient of the Cecile M. Springer Womanpower Award	1483
1036	McDonald, Valerie	Proclaiming December 8, 1998 as "Neighborhood Housing Services, Incorporated of Pittsburgh Day in the City	1552
1037	McDonald, Valerie	Congratulating The Links, Incorporated, 50th Anniversary	1552
1038	McDonald, Valerie	Congratulating Pittsburgh History & Landmarks Foundation and the Federal Reserve Bank of Cleveland, Pittsburgh Branch	1553
894	O'Connor, Bob	Declaring November 1, 1998 as "Congregation Beth Shalom Day in the City of Pittsburgh	1348
9	O'Connor, Bob	Congratulating Judy and Check Perlow for their dedication to Jewish Education	29
141	O'Connor, Bob	Declaring February 15, 1998 as the Program to Aid Citizen Enterprise's Pittsburgh Steelers Class for 74 Reunion Day	163

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
149	O'Connor, Bob	Declaring February 24 - March 2, 1998 Disney on Ice - Hercules Week in the City of Pittsburgh	179
200	O'Connor, Bob	Commending all the organizers of and participants in the annual St. Patrick's Day Parade and declaring March 14-21, 1998 to be St. Patrick's Week	229
230	O'Connor, Bob	Declaring March 17, 1998 Chatham Cougars Women's Ice Hockey Team Day	264
231	O'Connor, Bob	Declaring March 11, 1998 John Cigna Day in the City of Pittsburgh	266
257	O'Connor, Bob	Proclaiming March 24, 1998 to be the American Diabetes Alert Day in the City of Pittsburgh	312
257	O'Connor, Bob	Proclaiming March 24, 1998 to be the America Diabetes Alert Day	311
274	O'Connor, Bob	Proclaiming March 29, 1998 as Nellie King Day in the City of Pittsburgh	342
310	O'Connor, Bob	Declaring April 20, 1998 as Ladies Hospital Aid Society Day	423
312	O'Connor, Bob	The Champions Association's 23rd Kenny Durrett All Star Basketball Classic Day	425
338	O'Connor, Bob	Declaring April 26, 19998 as "Taylor Allderdice Distinguished Alumni Day in the City	443
339	O'Connor, Bob	Commending Hannah and Marvin Kamin for their dedicated years of service to our community	447
365	O'Connor, Bob	Declaring, April 20, 1996 as Courage to Come Back Day in the City of Pittsburgh	483

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
366	O'Connor, Bob	Declaring, April 28, 1998 to be "The United States - South Africa Leadership Development Program Day in the City of Pittsburgh	485
388	O'Connor, Bob	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513
417	O'Connor, Bob	Declaring May 18, 1998 to be the Greater Pittsburgh Chapter of the National Parkinson's Foundation The Tri-State/Pittsburgh Chapter of the American Parkinson Disease Association Day	564
418	O'Connor, Bob	Declaring May 7, 1998 to be Lynn Cullen Day in the City of Pittsburgh	564
436	O'Connor, Bob	Declaring May 23 - 25, 1998 as Gateway Clipper's 40th Year Celebration Weekend	595
437	O'Connor, Bob	Declaring the summer months as MADD's Keep It a Safe Summer	598
458	O'Connor, Bob	Declaring the 31st Ward Citizen Council to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act	624
513	O'Connor, Bob	Congratulating Glen Hazel Tenants Council	709
518	O'Connor, Bob	Declaring June 14, 1998 as Shirley Dorsey Day in the City	716
519	O'Connor, Bob	Declaring June 7, 1998 as Dr. Thomas Detre Day in the City	716
520	O'Connor, Bob	Thanking Mayor Takahiro Shindo and Council Chairperson Hiroshi Suzuki for their outstanding efforts in developing a Sister City Relationship with Pittsburgh and the City of Omiya	717

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
521	O'Connor, Bob	Declaring July 8, 1998 as Dr. Cyril H. Wecht Day	718
522	O'Connor, Bob	Declaring June 6, 1998 as Betty Bauman Day	718
523	O'Connor, Bob	Declaring May 18, 1998 as Ivita Bails Day	719
533	O'Connor, Bob	City of Pittsburgh hereby exercises its authority and waives the procedures and formalities required by law of a political subdivisions as provided in Title 35, Pennsylvania Statutes	724
555	O'Connor, Bob	Declaring June 25, 1998 "Art for AIDS Day in the City of Pittsburgh	778
584	O'Connor, Bob	Commending City of Pittsburgh people for putting forth the effort and commitment to assist the residents of Pittsburgh during and after the devastating tornadoes on June 2, 1998	820
584	O'Connor, Bob	Recognizing the City Departments that helped during the June 2, 1998 tornado	846
585	O'Connor, Bob	Declaring July 7 - 11, 1998 as The 18th National Veterans Wheelchair Games Day in the City of Pittsburgh	826
588	O'Connor, Bob	Declaring June 23, 1998 to be Orthodox Union Day in the City of Pittsburgh	829
641	O'Connor, Bob	Declaring the Glen Hazel Citizen Association to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act	913
645	O'Connor, Bob	Declaring the summer of 1998 to be Kenwood Park Summer	926

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
647	O'Connor, Bob	Congratulating Mary Goch Ross on her 90th Birthday	927
693	O'Connor, Bob	Declaring August 4, 1998 as Council Care Irving Spolan Center Day in the City	984
703	O'Connor, Bob	Declaring, September 11, 1998 to be James and Sarah Pegher Day in the City of Pittsburgh	1035
708	O'Connor, Bob	Requesting the National City Trust Company, N.A., accept the nominee of the Distribution Committee of the McCune Foundation	1049
709	O'Connor, Bob	Proclaiming, August 31, 1998 as Paul Humanic Eagle Scout Day in the City of Pittsburgh	1051
710	O'Connor, Bob	Proclaiming August 31, 1998 as Curtis H. Reimman II, Eagle Scout Day in the City	1052
755	O'Connor, Bob	Recognizing Pittsburgh Cut Flower Company's 100th anniversary and does hereby declaring September 15, 1998 as Pittsburgh Cut Flower Day in the City	1109
756	O'Connor, Bob	Recognizing the Veterans of the United States of American and declaring September as POW/MIA Month	1111
779	O'Connor, Bob	Declaring Congregation Share Torah to be a civic and/or service organization within the context the Pennsylvania Small Games of Chance Act	1145
784	O'Connor, Bob	Declaring September 22, 1998 as Pittsburgh Junior Citizens Police Academy Day	1152

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
826	O'Connor, Bob	Proclaiming October 9, 1998 as "Sons of Columbus Day" in the City of Pittsburgh	1221
833	O'Connor, Bob	Proclaiming October 1, 1998 as William Pitt Union Day in the City	1233
836	O'Connor, Bob	Memorialize the Congress of the United States to re-authorize the LIHEAP Program	1238
837	O'Connor, Bob	Declaring October "Domestic Violence Awareness Month in the City of Pittsburgh	1239
854	O'Connor, Bob	Extending the Day School and The Valecko family our deepest sympathy on the lost of a most cherished person Terri Valecko	1262
855	O'Connor, Bob	Recognizing First Presbyterian Church's 225th Anniversary	1263
875	O'Connor, Bob	Extending best wishes to the 1998 National Conference for the National Alliance for Media Arts and Culture and hereby proclaims October 20, 1998 as "Pittsburgh Filmmakers/NAMAC Day in the City of Pittsburgh	1310
891	O'Connor, Bob	Commending MADD and RPS for sponsoring this worthwhile project and hereby proclaims October 27, 1998 as "Red Ribbon Day" in the City of Pittsburgh	1344
892	O'Connor, Bob	Proclaiming the month of November 1998 as Epilepsy Awareness Month in the City of Pittsburgh	1346
940	O'Connor, Bob	Proclaiming October 30, 1998 as "Billy Neumont Day" in the City of Pittsburgh	1396

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
941	O'Connor, Bob	Proclaiming November 3, 1998 as "Women in American Military Day in the City of Pittsburgh	1397
942	O'Connor, Bob	Hereby extends to Evelyn Klemp its congratulations and best wishes as she celebrates her 80th birthday	1397
944	O'Connor, Bob	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
945	O'Connor, Bob	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411
946	O'Connor, Bob	Declaring November 11, 1998 as Presents for Patients Day in the City of Pittsburgh	1412
947	O'Connor, Bob	Declaring November 15, 1998 as Jewish Sports Hall of Fame of Western PA Day in the City of Pittsburgh	1414
962	O'Connor, Bob	Proclaiming Sunday November 22, 1998 as ZOA Day in the City of Pittsburgh	1447
963	O'Connor, Bob	Wishing Edythe F. Green congratulations and best wishes as she celebrates the anniversary of her birthday	1447
964	O'Connor, Bob	Thanking Thomas Mattox for his dedication to education our society's youth and proclaiming November 14, 1998 as "Thomas Mattox Day" in the City of Pittsburgh	1448

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
965	O'Connor, Bob	Declaring November 21, 1998 as "Greenfield Day" in the City of Pittsburgh	1449
1013	O'Connor, Bob	Extending to the U.S. Marine Corps Reserve its best wishes and heartfelt appreciation for its service to our country and dedication to less fortunate children and their families	1515
1034	O'Connor, Bob	Recognizing Pitt Project Tutor Program	1546
1074	O'Connor, Bob	Declaring December 10, 1998, "Pittsburgh Council for International Visitors Day in the City of Pittsburgh	1578
6	Onorato, Dan	Congratulating Perry Traditional Academy's 1997 Football Team	25
62	Onorato, Dan	Commending the Catholic Schools of the Diocese of Pittsburgh	81
152	Onorato, Dan	Congratulating Owner Craig Poole and all of the employees of the James Street Café on their Mardi Gras Celebration	184
392	Onorato, Dan	Commending Mr. Miles and Mr. Sebak for creating programs we all know and love and wishes to thank them for their excellent efforts in promoting the best in our city	519
485	Onorato, Dan	Welcoming the riverhead Cyber Café' to the North Side of Pittsburgh and wishes them the best of luck in their new endeavor	668
512	Onorato, Dan	Recognizing the delegation of students from Poland to our wonder City and extends to them best wishes for a successful workshop and tour	707

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
515	Onorato, Dan	Congratulating all participants of FESTA ITALIA	714
516	Onorato, Dan	Commending VPAC and each individuals involved in making the replacement of the Civil War headstones at Union Dale Cemetery possible	715
539	Onorato, Dan	Congratulating all of the individuals who have worked to bring the First Annual Triathlon to our City	738
544	Onorato, Dan	Congratulating William Kunz on his performance and all his hard work on becoming an Eagle Scout	752
545	Onorato, Dan	Declaring Community Technical Assistance Center Day, June 17, 1998	753
587	Onorato, Dan	Congratulating William Kunz on his performance and all his hard work to become an Eagle Scout	829
623	Onorato, Dan	Thanking Judge Patrick Tamalia and the Italian Day committee	891
646	Onorato, Dan	Commending Mr. Donald Blunt of his tremendous sense of citizenship	927
695	Onorato, Dan	Declaring August 8, 1998 as Lucille Wilson Day in the City of Pittsburgh	989
702	Onorato, Dan	Congratulating Percy and Odessa Howard on the celebration of their 50th Wedding Anniversary September 4, 1998	1035
704	Onorato, Dan	Declaring Fineview Citizens Council, Inc. to be a Civic and/or Service Organization within the context of the PA Small Games of Chance Act	1036

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
737	Onorato, Dan	Encouraging all citizens to cast their vote for the Pittsburgh Steelers in the 1970's balloting for Celebrate the Century	1074
738	Onorato, Dan	Commending Dorothy Ann Richardson for her longstanding commitment to the cause of Equal Justice for All	1077
781	Onorato, Dan	Congratulating the Northview Heights Citizen Council and the Urban League of Pittsburgh, Inc.	1149
782	Onorato, Dan	Congratulating the Northview Community	1149
825	Onorato, Dan	Congratulating the 1998 Pittsburgh Columbus Day Parade and Festival Committee	1220
834	Onorato, Dan	Declaring October 3, 1998 as National Aviary Day	1234
835	Onorato, Dan	Congratulating the officers and members of the East Allegheny Community Council on 20 years of existence	1237
877	Onorato, Dan	Welcoming Mr. Remo, Gaspari, Professor Vincenzo Del Colle, and Mr. Isidoro Nicolo to our fair city	1313
960	Onorato, Dan	Declaring November 13, 1998 as "Rita Wilson Kane Day in the City of Pittsburgh	1444
1011	Onorato, Dan	Commending the hard work of sponsors and committee members and of all those who are involved in making the Goods for Gun's program a success in the City of Pittsburgh	1511

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
1076	Onorato, Dan	Congratulating Mr. William Strickland, Executive Director of the Manchester Craftsmen's Guild for his receipt of the "Coming Up Taller" Award	1587
174	Ricciardi, Gene	Congratulating South Vocational Technical High School on 100 years of continuous service to the City	207
359	Ricciardi, Gene	Congratulating Jimmy's Post Tavern on 20 years of good food and quality service	476
364	Ricciardi, Gene	Recognizing Steve Laskovich contributions to both the Prince of Peace Athletic Association and our City's youth	482
388	Ricciardi, Gene	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513
415	Ricciardi, Gene	Declaring May 14, 1998 as Beltzhoover Citizens Community Development Corporation Day in the City of Pittsburgh	559
514	Ricciardi, Gene	Declaring June 9, 1998 Jim Howley and Kelly Timms Day	712
517	Ricciardi, Gene	Congratulating Walter & Regina Meussner on their 50th Wedding Anniversary	715
749	Ricciardi, Gene	Declaring the American Serbian Club on the South Side to be a civic and/or service organization	1088
830	Ricciardi, Gene	Declaring October 6, 1998 as Stivers Temporary Personnel Day in the City of Pittsburgh	1228
839	Ricciardi, Gene	Declaring October 3, 1998 as Charles Gilbert Fallert Day in the City	1242

Read and Adopted

BILL NUMBER	*SPEAKER*	*SUBJECT*	*PAGE*
944	Ricciardi, Gene	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408
945	Ricciardi, Gene	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411
981	Ricciardi, Gene	Declaring November 23, 1998 as "Rotary Club of Pittsburgh Day in the City of Pittsburgh	1475
982	Ricciardi, Gene	Congratulating the groups and individuals for their support and dedication to welcoming new Citizens as new citizens of the United States of America	1477
1012	Ricciardi, Gene	Congratulating AmeriCorpos on 5 years of service to the people of the United States and declares October 23, 1999 as Americorps day in the City of Pittsburgh	1513
1033	Ricciardi, Gene	Declaring December 8, 1998 "Peace on Earth Day in the City of Pittsburgh initiated by Earl Jones	1542
7	Udin, Sala	Commending Weil Technology Institute	27
45	Udin, Sala	Congratulating the 1998 Hand in Hand, Inc. Honorees	46
102	Udin, Sala	Declaring Second Sunday in February Urban League week	124
103	Udin, Sala	Honoring Bishop Gordon Edward Vaughn	124

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
201	Udin, Sala	Declaring the Pittsburgh Symphony Society Inc., a civic and/or service organization within the context of the Local Options Small Games of Chance	231
223	Udin, Sala	Extending our appreciation to Renaissance Publications for its efforts to highlight the achievements of African Americans	250
255	Udin, Sala	Commending Dr. Helen . Davis on her continued activism and indigenous work for our community	305
256	Udin, Sala	Commending Dr. Vernell . Lillie, for her unique talent of reaching and teaching African-American youth	308
256	Udin, Sala	Commending Dr. Vernell A. Lillie for her unique talent of reaching and teaching African American youth to push through barriers of race, gender and class to achieve excellence	305
271	Udin, Sala	Declaring March 29, 1999 Bethlehem Haven Shelter for Homeless Women Awareness Week	336
273	Udin, Sala	Congratulating Marcia A. Martin for her outstanding service to our community	337
359	Udin, Sala	Congratulating Jimmy's Post Tavern on 20 years of good food and quality service	476
388	Udin, Sala	Recognizing the Foster Grandparent Program of Southwester Pennsylvania	513

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
393	Udin, Sala	Congratulating the Pittsburgh Voyagers on there years of excellence in the youth educational and leadership development as well as science, math, technology and environmental awareness and joins Pittsburgh Voyager in celebrating the ceremonial launch of Discovery	522
394	Udin, Sala	Commending the Work of University of Pittsburgh Cancer Institute and the African American Cancer Program and declares April 27 - May 3, 1998 as Minority Cancer Awareness Week	523
395	Udin, Sala	Commending NEED for its lasting devotion to helping student achieve their goals	526
396	Udin, Sala	Commending The Honorable Livingstone Morris Johnson on his dedication to uphold the law and uplifting his community	527
416	Udin, Sala	Congratulating Dr. & Mrs. Rideout on their twenty-fifth Pastoral Anniversary	562
438	Udin, Sala	Commending Brenda Waters for her exceptional work within Broadcast Journalism	600
460	Udin, Sala	Recognizing Jacqueline Hill for all her achievements and commends her for her dedication to the people of Pittsburgh	636
485	Udin, Sala	Welcoming the RiverHead Cyber Café' to the North Side of Pittsburgh and wishes them the best of luck in their new endeavor	668
486	Udin, Sala	Congratulating the 14 member groups of the Northside Leadership Conference	668

Read and Adopted

BILL NUMBER	*SPEAKER*	*SUBJECT*	*PAGE*
644	Udin, Sala	Declaring June 21 - June 28, 1998 as C.L.I.C.K Week in the City of Pittsburgh	925
739	Udin, Sala	Commending Bethel African Methodist Episcopal Church for 190 years of historical presence	1079
740	Udin, Sala	Joining T.D. Jakes Ministries, and his Pittsburgh followers in honoring Bishop Jakes for his selfless service and commitment to Pittsburgh and various other communities around the world	1080
759	Udin, Sala	Declaring September 11, 1998 as Aliquippa Terrace Ground Breaking and Demolition Day	1117
831	Udin, Sala	Declaring October 6, 1998 to be Extra Mile Day in the City of Pittsburgh	1230
874	Udin, Sala	Declaring October 18, 1998 as Schenley Heights Neighborhood Club Day in the City of Pittsburgh	1308
899	Udin, Sala	Commending the Housing Authority City of Pittsburgh Police Department for demonstrating commitment to professional law enforcement in policy and practice	1339
943	Udin, Sala	Congratulating Grace Memorial Presbyterian Church on its 130th anniversary	1407
944	Udin, Sala	Commending Operation Save-a-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week	1408

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
945	Udin, Sala	Wishes and congratulations to the Dalai Lama and declares November 9, 1998 to be Dalai Lama Day in the City of Pittsburgh	1411
985	Udin, Sala	Honoring Sister Christine Gurley for her dedicated service and invaluable support to the community	1483
1039	Udin, Sala	Recognizing the Urban League of Pittsburgh, Inc. for it outstanding work in the Greater Pittsburgh community	1553
1077	Udin, Sala	Commending Mrs. Ethel Hagler for her many years of work, dedication and commitment to the City of Pittsburgh	1589

Residential Parking Permit

BILL NUMBER	SUBJECT	PAGE
715	Residential Permit Parking Program in portion of Squirrel Hill, CMU Community, pursuant to the Pittsburgh Code, so as to amend the streets included in Area "K"	1053, 1135
716	Residential Permit Parking in Area "Z" in the North Squirrel Hill Community, Council District 8, so as to amend the streets included in Area Z	1053, 1135

Residential Parking Permit - Amending

BILL NUMBER	SUBJECT	PAGE
1050	Amending Resolution 221/1998, providing for implementation of a Residential Parking Permit Program Area "Y" in the Shadyside community pursuant to Pittsburgh Code Chapter 549, so as to amend streets included in area "Y"	1555, 1657

Sale of Property

BILL NUMBER		*SUBJECT*	*PAGE*
74		Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	84, 137
75		Second Class City Treasurer Sale and Collection Act", effective December 11, 1984	85, 137
95		"Second Class City Treasurer Sale and Collection Act	108, 165
731		Authorizing the sale of City owned property in Millvale Borough on Lincoln Avenue to Joseph C. & Virginia S. Kelly for the sum of $1,000.00	1055, 1131
793		Exchange a city owned parcel Block 35-J, Lot 157, 20th Ward for an equal amount of private property, part of Block 35-J, Lot 158, 20th Ward	1157, 1245
1024	Acceptance	Authorizing the acceptance of property by the City of Pittsburgh known as Greenfield Avenue, 15th Ward, designated as Block 54N, Lot 288, from Dorothy Giampolo, as this property was conveyed to her and her late husband Anthony, by the City in error	1518, 1609
350	Condemning	Condemning by the City for public highway purposes certain property in the 14th Ward of the City owned by Stephen A. & Sharon S. Neustein	450, 536

Sale of Property

BILL NUMBER		*SUBJECT*	*PAGE*
1021	Condemning	Appropriating and condemning by the City of Pittsburgh, for public highway purposes, certain property in the 14th Ward of the City of Pittsburgh, owned by Satish C. Wadhawan and Anita Wadhawan, authorizing the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto and designating the URA as the City acquisition agent, the real estate is to be taken by eminent domain is 4100 square foot lot fronting on Zama Road	1517, 1623
126	Conveyance	Second Class City Treasurer Sale and Collection Act	128, 188
295	Conveyance	Second Class City Treasurer Sale and Collection Act	377
297	Conveyance	Second Class City Treasurer Sale and Collection Act - Sideyard program	377, 455
298	Conveyance	Second Class City Treasurer Sale and Collection Act - Sideyard program	377, 455
352	Conveyance	Second Class City Treasurer Sale and Collection Act"	450, 533
407	Conveyance	Second Class City Treasurer Sale and Collection Act - effective December 11, 1984	531. 603
430	Conveyance	Second Class City Treasurer Sale and Collection Act	567. 658
532	Conveyance	Second Class City Treasurer Sale and Collection Act" (Bedford Avenue)	720, 798
672	Conveyance	Second Class City Treasurer Sale and Collection Act - 633 Duff Street	933, 991

Sale of Property

BILL NUMBER		*SUBJECT*	*PAGE*
673	Conveyance	Second Class City Treasurer Sale and Collection Act - 16 Mayflower Street	933, 991
733	Conveyance	Sale of certain property in accordance with the Second Class City Treasurer Sale and Collection Act	1055, 1131
907	Conveyance	Second Class City Treasurer Sale and Collection Act effective December 11, 1984	1350, 1418
1025	Conveyance	Second Class City Treasurer Sale and Collection Act, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program	1518, 1609
1096	Conveyance	Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	1599, 1677
761	Dedication	Dedicating certain property as "S" Special District, by annexing and dedicating all that publicly held property known as Heth's Run Ravine	1117
904	Miscellaneous	Authorizing the Mayor and the Director of Finance on behalf of the City to transfer its rights, title and interest for certain jointly owned property in the 19th Ward, City of Pittsburgh, designated as Block 61-C, Lot 125 to the School District in connection with the Pioneer Elementary School Access Drive	1350, 1418
127	Petition	Second Class City Treasurer Sale and Collection Act	128, 188

Sale of Property

BILL NUMBER		SUBJECT	PAGE
246	Petition	Petition for the sale of certain property or properties acquired at tax sales in accordance with act no. 171 of 1984, Second Class City Treasurer Sale and Collection Act	268, 359
295	Petition	Sale of property in accordance with Act 171 of 1984, Second Class City Treasurer Sale and Collection Act	377
299	Petition	Second Class City Treasurer Sale and Collection Act - Sideyard program	377, 456
356	Petition	Second Class City Treasurer Sale and Collection Act	455
530	Petition	Second Class City Treasurer Sale and Collection Act" (Forbes Avenue)	720, 797
531	Petition	Second Class City Treasurer Sale and Collection Act" (Ellis Street)	720, 797
674	Petition	Sale of certain property known as Lien Excluded Properties acquired at tax sale - 3219 Dawson Street	933, 991
675	Petition	Sale of certain property known as Lien Excluded Properties - 1525 Hawthorne Street	933, 991
734	Petition	Second Class City Treasurer Sale and Collection Act"	1055, 1132
735	Petition	Second Class City Treasurer Sale and Collection Act"	1055, 1133
908	Petition	Second Class City Treasurer Sale and Collection Act effective December 11, 1984	1351, 1418
1026	Petition	Second Class City Treasurer Sale and Collection Act	1518, 1610

Sale of Property

BILL NUMBER		*SUBJECT*	*PAGE*
494	Property Dedication	Accepting dedication of various streets in the Crawford Roberts Redevelopment	670, 760
732	Quit Claim	Issue a quit claim deed for property in the 4th ward, on Ophelia Street, Block 28N, Lot 110 to Geoffrey L. & Reiko Y. Becker, $350.00	1055, 1131
189	Quit Claim Deed	Amending Resolution 856 of 1997, quit claim deed for property in the 28th Ward, known as 1252 Idlewood Road, to Idlewood Road Property Company, a Pennsylvania limited partnership, by deleting certain language	210, 237
670	Quit Claim Deed	Authorizing the sale of property in the 19th Ward designated as Block 1P, Lot 64, to the Port Authority for $600.00	933, 991, 1189
671	Quit Claim Deed	Quit Claim Deed for property in the 19th Ward designated at Block 1P, Lot 62 and 63 to the Port Authority for $1,400.00	933, 991, 1189
905	Quit Claim Deed	Issue a quit claim deed for property in the 19th Ward of the City of Pittsburgh, designated as Block 1 P, part of Lot 400, to the Port Authorizing of Allegheny County in the amount of $200.00 and further authorize a temporary construction easement surrounding said Block 1 P, part of Lot 400 and Block 1 P, part of Lot 61 for the sum of $330.00	1350, 1418

Sale of Property

BILL NUMBER		SUBJECT	PAGE
906	Quit Claim Deed	Issue a quit claim deed for property designated as Block 5 S, part of Lot 97, to the Port Authority of Allegheny County for the sum of $610.00 and further authorize two (2) temporary construction easements for the sum of $1,410.00 and a permanent underground conduit easement for $375.00	1350, 1418
1005	Quit Claim Deed	Aurthorizing the City of Pittsburgh to issue a quit claim deed for property in the 18th Ward of the City of Pittsburgh know as 34 & 38 Roanoke Street, designated as Block 3-P, Lots 9 & 16, to Helena Scanlon, or the sum of $100.00	1486, 1562
36	Quit-Claim Deed	Property in the 24th Ward, known as 11-13-15 Erk Way and 1131 Florence (Frontier) Street	35, 87
296	Repealing	Repealing resolution 668/1997 Item C and Resolution 99/1996 Item E. which authorized the sale of two story brick veneer house situated on a lot 37.42 x avg. 45.74 x 61.08 known as 7828 Bennett Street. 13th Ward, Block 174S Lot 72	377
351	Repealing	Second Class City Treasurer Sale and Collection Act"	450, 532

Sale of Property - Amending

BILL NUMBER	SUBJECT	PAGE
406	Amending Resolution No. 447, Item I, effective July 29, 1997, which authorized the sale of a vacant lot, located at 740 Hillgrove Avenue, 20th Ward, Block 35N, Lot 122 (pt.) to Vera A. Birmingham	531, 603

Sale of Property - Amending

BILL NUMBER	*SUBJECT*	*PAGE*
429	Amending Resolution 691/1997, which authorized the sale of a two story frame house situated on a lot 41' avg. 98.39' x 30' rm., located at 1005 Tyson Street, 13th Ward	567, 658

Sewage Facilities

BILL NUMBER	*SUBJECT*	*PAGE*
921	Adopting Official Sewage Facilities Plan for Nine-Mile Run Phase I Development Housing	1381, 1451

TIF

BILL NUMBER	*SUBJECT*	*PAGE*
635	Authorizing the URA of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the Inner Triangle Redevelopment Area	895, 973
661	TIF for portions of the Broadheading Fording Redevelopment Area No. 24	930, 974
718	TIF presented by the URA of Pittsburgh creating the Broadhead Fording TIF	1053, 1361
720	Adopting Amendment NO. 1 to the center Triangle by the URA of Pittsburgh, Council District 6	1054, 1361,1377
722	URA to pursue a TIF Proposal for portions of the East Liberty Redevelopment Area No. 10	1054, 1136
723	URA to pursue a TIF Proposal for portions of the Cultural District Redevelopment Area No. 53	1054, 1136
724	URA to pursue a TIF Proposal for portions of the South Side East Redevelopment Area No. 55	1054, 1161,1199

TIF

BILL NUMBER	*SUBJECT*	*PAGE*
786	Creation of the Pittsburgh Neighborhood Development Fund for the purpose of providing a TIF package totaling $10,000,000.00	1155, 1324
863	Amending Council Bill 720 - Center Triangle Tax Incremental Financing Plan and proposing to utilize $7 Million dollars to assist in redevelopment activities related to Neighborhood Business Districts	1264, 1324
971	Resolution authorizing the URA of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the Second Avenue and Inner Triangle Redevelopment Areas, District No. 6	1451, 1525
1018	Submitting various requirements for the use of Tax Increment Financing to provide financial assistance to businesses or projects that have been unable to obtain conventional financing	1517, 1622
1020	Adopting a Tax Increment Financing Plan presented by the URA of Pittsburgh creating the Fulton Building Tax Increment Financing District, and making certain findings, council district 6	1517
1053	Adopting Amendment No. 2 to the Center Triangle Tax Incremental Financing Plan Presented by the Urban Redevelopment Authority of Pittsburgh and Making Certain Findings	1556, 1082,1130

TIF

BILL NUMBER	SUBJECT	PAGE
1083	Adopting a Tax Increment Financing Plan presented by the URA of Pittsburgh creating the South Side Works Tax Increment Financing District and making certain findings	1592
1116	Adopting a Tax Increment Financing Plan presented by the URA of Pittsburgh creating the East Liberty - Home Depot, USA Tax Increment Financing District and making certain finds	1674

Transfer

BILL NUMBER	SUBJECT	PAGE
13	$82,020.48 from various code accounts within the department of Public Works to other various code accounts within the Department of Public Works	31, 86
23	$34,781.00 from various accounts in City Planning to Miscellaneous Services for the purpose of renovating the City Planning Fourth Floor located at 200 Ross Street	86
48	$5,000.00 from Code Account 1001-2, Salaries and Wages, City Council, to Code Account 1001-1, Miscellaneous Service, City Council	47, 111
118	Transfer $15,000.00 from Account 525900, Organization 999200 Sub Class 150, Miscellaneous, Citywide Non	127, 188

Transfer

BILL NUMBER	*SUBJECT*	*PAGE*
160	$25,000.00 from Account 511000, Sub-Class 010 Salaries, Fund 1000, Organization 101200, Budget Year 1998 to Account 525500, Sub-Class 150 Miscellaneous Services, Fund 100, Organization 101200, Budget Year 1998, both within the Office of City Clerk	186, 236
232	$15,735 aggregate amount within various accounts in the Bureau of Emergency Medical Services	266, 358
233	$110,000 aggregate amount within various accounts in the Bureau of Emergency Medical Services	266, 358
234	$6,790.00 from within the Bureau of Emergency Medical Services to Org. No. 220000, Account 525500, Fund 1000, Subclass 150, Budget Year 1998, Bureau of Emergency Medical Services	266, 358
235	$5,623.00 from within the Bureau of Emergency Medical Services to Org. No. 220000, Account 542700, Fund 1000, Subclass 120, Budget Year 1998, Bureau of Emergency Medical Services	266, 358
236	$116,000.00 from Police Premium Pay to the Problem-Solving Partnership from Police Premium Pay Code Account 1443-4, Fund 1000, Subclass 020, Org. No. 230000, Account 516000, Budget Year 1998 to the Problem Solving Partnership Trust Fund, Fund 2465, Subclass 600, Org. No. 230000, Account 581120, Budget Years 1998	267, 378

Transfer

BILL NUMBER	*SUBJECT*	*PAGE*
237	Transfer funds from Emergency Medical Services Reimbursed Events Trust Fund to Emergency Medical Services Trust Fund for salary and premium pay for EMS paramedics, crew chiefs and supervisors	267, 359
276	$1,000.00 from Miscellaneous Services, Department of Public Safety to the Animal Fighting Trust Fund	342, 429
300	$455,569 from Non-Departmental-Citywide Account, Fund 100, Organization 999200, Sub Class 150 Budget Year 1997 to various accounts in the Department of General Services in order to make technical	378, 457
405	$4,600.00 from Code Account No. 46, Index Code 004606, Fund 1000, Sub 170, Account 582200, org. 999200 to Code Account 481100, Fund 8710, Org. 420000, Budget year 1998, for repair of a broken sewer line in settlement of a claim of Denise Bigley at 1302 Basin Street	531, 603
452	$20,000.00 from Account 568600, Fund 1000, Organization 103000, Sub-Class 160, Budget Year 1998 to Account 516000, Fund 1000, Organization 103000, Sub-Class 020, Budget Year 1998, Mayor's Office, City Information Systems	602, 673

Transfer

BILL NUMBER	*SUBJECT*	*PAGE*
464	$830,000.00 from Code 45, Health/Life Insurance-Municipal Employees, Department of Personnel & Civil Service to the Special Summer Food Service Program/Trust Fund, Department of Parks	641, 673
487	$379,000.00 from the Local Law Enforcement Block Grant Trust to the Equipment Leasing Authority for the purchase of police vehicles and related accessories	669, 724
496	$47,000.00 from the Department of City Planning, Salaries Account to the Department of Public Safety, Salaries Account	670, 760
524	$243,618.00 from various accounts with the Bureau of Police to the Bureau of Police Premium Pay Account	720, 796
597	$2,905.20 from the mayor's Office Education and Training Account to the Department of City Planning's Education and Training Account	831, 909
605	$120,000.00 from the Mayor's Office to the Print Shop Trust Fund in the Department of General Services	848, 989
650	$29,000.00 from City County Identification and Information Systems Trust Fund to Photo Imaging Trust Fund	928, 989
652	$300,000 from various Public Works code accounts to other various code account within Public Works	929, 961

Transfer

BILL NUMBER	*SUBJECT*	*PAGE*
664	$29,053 from Account 568500 to Photo Imaging Trust Fund to satisfy matching fund requirement of the grant	933, 990
667	Authorizing the City Controller to transfer indirect costs and other reimbursements due the City from trust funds, federal programs, capital programs and other entities where costs are incurred by the City	933, 990
725	$190,198.39 from various non-departmental Civilian Review Board Subclass accounts to the Civilian Review Board Sub Class 150, miscellaneous Services	1054
769	$3,739,570 from various accounts citywide to the Transfer Suspense Account	1119, 1190,1245
815	$3,411,946.00 from the Transfer Suspense Account to various accounts where shortfalls exist	1181, 1275
816	$1,421,459.32 from various 1997 accounts to the Non-Departmental-Fringe Benefits Account in order to resolve deficits in the 1997 Health Care Benefits accounts	1181, 1275
817	$2,285,413.00 from the Non-Departmental - Personnel Salary Account to the Non-Departmental Personnel Fringe Benefits account in order to restore funding to the Worker's Compensation - Disability Account	1181, 1275

Transfer

BILL NUMBER	*SUBJECT*	*PAGE*	
862	$630,000.00 to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel from the Special Summer Food Service Program Trust Fund, Department of Parks and Recreation	1264, 1356	
878	$4,000.00 from Sub Class 010, salaries, City Council, Account 51100 to Subclass 150, Miscellaneous Services, City Council	1313, 1357,1385	$4,000.00
881	$4,000 from Sub-Class 010, Salaries, City Clerk's Office to Sub Class 030, Education & Training, City Council	1313, 1356	$4,000.00
884	$2,000.00 from Rent-Copiers Account to the Miscellaneous Services Account Fund	1314, 1385	$2,000.00
900	$5,200.00 from Salaries, City Council to Miscellaneous Services City Council	1349, 1417	
933	$1,619,470.00 from various citywide to the Transfer suspense Account Fund, in order to make future transfers to various accounts where shortfalls exist	1383, 1453	
934	$1,946,363.00 from the Transfer Suspense Account, to various accounts where shortfalls exist	1383, 1453	
1000	$200,000.00 to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, Account 571100, Fund 1000, Organization 999300, Subclass 040, Budget Year 1998 from the Special Summer Food Service Program Trust Fund	1486, 1562	

Transfer

BILL NUMBER	*SUBJECT*	*PAGE*
1002	$5,000.00 from Miscellaneous Services Org. 106000 Fund 1000 Sub 150 by 1998 to Education & Training Org. 106000 fund 1000 sub 030 by 1998	1486, 1562
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1060	$50,000 from the Non-Departmental - Personnel Pension Account Fund to the Law Department's Miscellaneous Services Account	1557, 1612
1079	$500,000.00 from various accounts within the Department of Public Safety, Bureau of Police, to the Public Safety Training Account Trust Fund, Department of Public Safety, Bureau of Police	1591, 1639
1089	$79,000.00 from within the Citizen Police Review Board spent salaries account 511000, Fund 1000, Budget Year 1998 to Citizen Police Review Board Account 525500, Fund 1000, Budget Year 1998	1598, 1675

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Trust Fund

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560	Creating a trust fund designated as the Print Shop Trust Fund, for the deposit of monies from City departments for reimbursement for departmental copier costs	783, 1018

Trust Fund

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745	Create a special trust fund known as the Shade Tree Trust Fund for the deposit of cash and contributions and authorizing the use of the funds deposited therein by the Department of Public Works for any all expenses associated with the operation and implementation of projects related to the planting and promotion of trees in the City of Pittsburgh	1081, 1134
747	Create a special trust fund known as the Information Product Trust Fund and for the deposit of funds	1082. 1158

Trust Fund - Amending

BILL NUMBER	*SUBJECT*	*PAGE*
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URA

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URA

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927	URA of Pittsburgh to submit an application to the Commonwealth of Pennsylvania for a grant in the amount of $1,300,000 for the YWCA of Greater Pittsburgh Project	1382, 1491
929	Purchase property in the 11th Ward designated as Block and Lot 83-R-305, 83-R-304 and 83-L-18 from Armil L. Crichlow and Allen R. Hodges for $260,000 plus costs	1382, 1492
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Vacation

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493	Vacating a portion of Converse Street, 120th Ward, 2nd Council District	670
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610	Ballard Way between Baker Street and the Zoo Parking lot, 10th Ward, 7th Council District	849, 882
629	Old Orchard Circle and North Court as part of the Broadhead Manor Demolition Plan 28th Ward, 2nd Council District	894, 962
630	Air Rights for the Mellon bank Project, 2nd Ward, 6th Council District	894, 962
767	Lowell Street and Extending to appoint of 150 feet west and accepting lot and block	1118, 1158
810	Advorton Street as part of the Broadhead Manor Demolition Plan 28th Ward, 2nd Council District	1180,1246

Vacation (Amending)

BILL NUMBER	*SUBJECT*	*PAGE*
860	Amending Resolution 548, which vacation portion of Tyler Way to Mayflower Street, so as to change Block and Lot to 208, including 22 ft. of frontage on Tyler Way	1263, 1323

Warrant

BILL NUMBER	*SUBJECT*	*PAGE*	*AMOUNT*
29	New York Times, advertising cost	34, 87	$2,058.00
30	Olds, Annette Ganassi, vehicle rental	34, 87	$2,718.21
31	Weinel, William, cut trees and shrubs	34, 187, 236	$3.774.87
32	Commonwealth of PA to pay City of Pittsburgh JTP Program's share of the statewide on-line computer cost	35, 87	$23,857.00
71	Commonwealth of PA, First Party Benefits	84, 136	$5,000.00
145	Smykla, Mary in full and final settlement of the action filed at GD 95-12401 alleging personal injury due to a slip and fall, $25,000.00	164, 236	$25,000.00
157	Vogel, Agnes - reimbursement of costs incurred to repair property damages caused by a contracting firm hired by the City to complete a building demolition	185	$5,060.00
179	Mackin Engineering, payment of design of remedial repairs to the West Ohio Street Bridge, cost not to exceed $4,556.75	208, 272	
207	Spectacor Management Group, in connection with the City of Pittsburgh Baseball is Great Program	232	
214	Commonwealth of Pennsylvania representing the final payment required for unclaimed funds	234, 322	$19,184.57
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Warrant

BILL NUMBER	*SUBJECT*	*PAGE*	*AMOUNT*
284	Commonwealth of Pa, Department of Transportation, alleging that the City of Pittsburgh was liable for causing and correcting a landslide at 8400 block of Frankstown Road, January 1995	343, 430	$15,000.00
285	Flasck, Ellen - claimant's vehicle was hit by a City Police van on March 19, 1997	343	$3,563.29
301	Des Lauriers, Shawn & Ryan, final settlement of alleged personal injury	378, 457	$20,000.00
302	Deutsch, Ronald, final settlement of an action filed at CA 96-866	378, 457	$12,000.00
453	Sherrell, Mary c/o Cynthia M. Daniel, full and final settlement of the action filed at GD95-15992 alleging personal injury sustained due to a vehicle accident at Jacksonia Street and Brighton Avenue on or about October 15, 1994	602, 673	
475	Lenzner Coach Lines, rental of buses for the Signal Air Warning Battalion 6th Reunion at Sheraton Station Square	643, 754	
489	Purchase of batteries for the Uninterrupted Power System at the Emergency Operations Center	669, 754	$6,550.00
499	Martinez, Eileen, settlement of claim in which claimant's property flooded due to improper grading of street	671, 754	$12,000.00
577	Slifko, April A, full and final settlement of alleged sexual harassment from male co-workers at Fire Station #6	786, 863	$30,000.00

Warrant

BILL NUMBER	*SUBJECT*	*PAGE*	*AMOUNT*
653	Sheraton Hotel Station Square, for Citiparks Senior Interests Program Volunteer Recognition Gala	929, 989	$4,706.00
711	Debolt Unlimited Travel Services, Inc., Prof. services	1052	$2,376.00
727	American Legal Publishing Corporation, professional services	1055, 1130	$7,900.00
728	Laidlaw Concorde Adjusters, Inc., vehicle damage due to accident with City EMS vehicle	1055, 1157	$5,874.44
729	Glass, Yoland, settlement of a claim for water run-off from improper street paving	1055, 1157	$10,000.00
785	Xact Medicare Services, reimburse Medicare for emergency medical services charges, $118,145.12	1155, 1190	$118,145.12
792	New York Times, payment of advertising cost for advertisements of July 31, 1998 RFP to provide Group Vision Plan	1156, 1244	
842	Sydlin, Inc., the furnishing and installation of Solargard Silver 80HC window film product in the public safety building	1243, 1321	$3,090.00
843	U.S. Nuclear Regulatory Commission, License Fee and Debt Collection Branch, Annual Material Fee Invoice	1243, 1321	$1,700.00
879	Richard S. Caliguiri Amyloidosis Foundation, $9,567.00, in connection with the 1998 Great Race	1313, 1385	$9,567.00
901	Lions Club of Oakland, Inc., replacement sign removed and lost by city workers from the location of Forbes Avenue	1349	

Warrant

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987	Pennsylvania Commission on Crime and Delinquency, unspent grant funds, $7,917.00	1484, 1561	
988	Kasseburgh Canine, purchase of police dogs	1484, 1561	
1086	Titus & McConomy, for actual costs incidental to Contract 37374 for professional services furnished for the benefit of the City without previous authority	1598, 1675	$4,414.32
1087	CompUSA, purchase of computers necessary for the startup of the Citizen Police Review Board without previous authority of law	1598, 1675	$11,734.18
1088	American Legal Publishing Corporation, professional services for the Pittsburgh Code	1598, 1675	
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Warrant

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MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *January 5, 1998* *No. 1*

Municipal Record

ONE-HUNDRED
THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Monday, January 5, 1998

Mrs. Johnson-Wasler Chairperson:

Good morning. Welcome to Council Chambers. May I be the first to wish you a Happy New Year and a prosperous year.

This being the day and hour affixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh the One Hundred and Thirtieth Council will be in order.

Before I proceed I would ask Councilman Cohen and Councilman Diven to escort Mayor Murphy in please.

We will now rise for the Pledge of Allegiance and remain standing for the Invocation.

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible with liberty and justice for all.

Chairperson:

The Invocation will be offered by the Rabbi Andrew Busch from the Rodef Shalom Congregation.

Rabbi Busch:

It says in the ancient book Pirka Avot, the ethics of our ancestors, Shimon Ben Gamlier said three things, the world where our society and community is sustained by three things, the three things that we hope guide and occupy this Council in the time ahead. A search for the truth for honest knowledge, a compassionate understanding of the law and the dictates and needs of society, and most importantly a search and guidance towards the inspiration of Shalom of peace and completeness may our work be inspired. May your work guide us. Amen.

Chairperson:

Please be seated. The first order of businesses will be the presentation of the Certificates of Election by Council District.

THE CHAIRPERSON PRESENTS:

No. 1 Certificate of Election

We, the undersigned, constituting the Return

Board of the County of Allegheny do hereby certify that at the Election held on the Fourth Day of November, 1997, in said County

Alan Hertzberg

Was duly elected to the Office of

Member of Council
Four Year Term

For

City of Pittsburgh, Council District 2

In the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fourth Day of November, 1997.

Bob Cranmer
Larry Dunn
Mike Dawida

Judges in the Court of Common Pleas
Constituting the Board of Elections
Of the County of Allegheny, Pennsylvania

Also,

No. 2 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the Fourth Day of November, 1997, in said County

Michael Diven

Was duly elected to the Office of

Member of Council
Four Year Term
For

City of Pittsburgh, Council District 4

In the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fourth Day of November, 1997.

Bob Cranmer
Larry Dunn
Mike Dawida

Judges in the Court of Common Pleas
Constituting the Board of Elections
Of the County of Allegheny, Pennsylvania

Also,

No. 3 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the Fourth Day of November, 1997, in said County

Sala Udin

Was duly elected to the Office of

Member of Council
Four Year Term

For

City of Pittsburgh, Council District 6

In the County of Allegheny
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fourth Day of November, 1997.

Bob Cranmer
Larry Dunn

Mike Dawida

Judges in the Court of Common Pleas
Constituting the Board of Elections
Of the County of Allegheny, Pennsylvania

Also,

No. 4 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the Fourth Day of November, 1997, in said County

Dan Cohen

Was duly elected to the Office of

Member of Council
Four Year Term

For

City of Pittsburgh, Council District 8

In the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fourth Day of November, 1997.

Bob Cranmer
Larry Dunn
Mike Dawida

Judges in the Court of Common Pleas
Constituting the Board of Elections
Of the County of Allegheny, Pennsylvania

Which were read, received and filed.

Chairperson:

We are honored to have with us this morning The Honorable Daniel R. Diven, District Justice, 20th Ward, who will administer the Oath of Office to Alan Hertzberg from Council District Two.

Justice Diven:

Raise your right hand, and repeat after me.

Mr. Hertzberg:

I, Alan Hertzberg, do solemnly swear that I will support the Constitution of the United States, the State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Chairperson:

We also have with us The Honorable Thomas C. Petrone State Representative from the 27th Legislative District who will administer the Oath of Office to Michael Diven from Council District Four.

Honorable Petrone:

I am especially proud to be here this morning to administer this Oath to my dear friend Michael. One of the first occasions in my political life was to attend the inauguration of President Eisenhower in 1957. It is this day is probably just as big as that for me, I can assure you.

Mr. Diven:

I, Michael Diven, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Thank you.

Chairperson:

Also with us the The Honorable Walter Little, Judge, Court of Common Pleas who will administer the Oath of Office to Sala Udin from Council District Six.

Judge Little:

Today it is a pleasure to administer the Oath to Sala Udin. I remember the last time that I swore Sala in, Mayor Murphy asked Sala to be the common voice of reason on City Council. I think during his tenure on City Council he has demonstrated through his ability to do research, be prepared of Council to resolve difficult issues and to compromise that he has complied with Mayor Murphy's request. I am assured that Sala will continue to demonstrate those efforts in the coming term. With that I will swear you in.

Mr. Udin:

I, Sala Udin, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and I will faithfully discharge the duties of office to the best of my ability.

Chairperson:

Also with us this morning the Honorable Robert Dauer, Judge, Court of Common Pleas who will administer the oath of office to Dan Cohen from Council District eight.

Judge Dauer:

I am a little bit older than Representative Patrone, I was at Harry Truman's inauguration. It is an honor to be here today. Raise your right hand please.

Mr. Cohen:

I, Dan Cohen, do solemnly swear that I will support the Constitution of the United States and of this State and of the Charter of this City and I will faithfully discharge the duties of office to the best of my ability.

Chairperson:

Being that the newly elected and re-elected Members of Council have been duly sworn in, the Clerk will call the role.

PRESENT:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. O'Connor
Mr. Onorato	Mr. Ricciardi
Mr. Udin	

Nine members present.

Chairperson:

Congratulations.

The next order of business is the nomination and the election of President of Council. What is your pleasure?

Mr. Ferlo:

Good morning everybody and Happy New Year. It's been my distinct honor and privilege for the last two terms to serve as City Council President. At this time I would like to extend that same honor and privilege to a friend and colleague, some one who has distinguished himself on this legislative body and equally important he has

distinguished himself to his family and to his constituents. That is my friend and colleague, Councilman Dan Cohen. I so move his nomination for President.

Chairperson:

Are there any more nominations?

Ms. McDonald:

I would respectfully nominate Alan Hertzberg for President of Council.

Mr. Ricciardi:

Thank you, madam Chair. Good morning colleagues. At this time I would like to nominate the Honorable Dan Onorato for Council President. I look forward to your support and his nomination and election to that office. Thank you.

Chairperson:

Any further nominations for President of Council?

MR. FERLO moved that nominations be closed.

MR. RICCIARDI seconded the motion.

Which motion carried.

Mr. Ferlo:

Role call vote.

Chairperson:

Nominations are voted on in the order in which they were nominated. Role call vote on Mr. Cohen.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Ferlo
Mr. Udin

(Mr. Diven, Mr. Hertzberg, Ms. McDonald, Mr. O'Connor, and Mr. Onorato voted noe. Mr. Ricciardi abstained)

Chairperson:

Nomination of Mr. Cohen did not receive the necessary votes and therefore we proceed to the next nominee.

Role call vote on Mr. Hertzberg.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg Ms. McDonald
Mr. O'Connor

(Mr. Cohen, Mr. Diven, and Mr. Onorato voted noe. Mr. Ferlo, Mr. Ricciardi and Mr. Udin abstained)

Chairperson:

Nomination of Mr. Hertzberg did not receive the necessary votes and therefore we proceed to the next nominee.

Role call vote on Mr. Onorato.

The ayes and noes were taken agreeably to law, and were:

AYES:
Mr. Diven Mr. Onorato

Mr. Ricciardi

(Mr. Cohen, Mr. Hertzberg, Mr. Ferlo, Ms. McDonald, and Mr. O'Connor voted noe. Mr. Udin abstained)

Chairperson:

Mr. Onorato did not receive the necessary votes, and therefore we proceed as the Council pleases.

MR. FERLO moved to recess for ten minutes.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

(Meeting recessed)

Chairperson:

Council's Legislative Recessed meeting is now in order. We will take nominations for President of Council.

MR. HERTZBERG moved to nominate Bob O'Connor as Council President.

MR. FERLO seconded the motion.

Chairperson:

Any other nominations? Any other nominations? Any other nominations? Nominations are closed.

Role call vote on the nomination of Bob O'Connor for President of Council.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. O'Connor
Mr. Udin	

(Mr. Onorato voted noe. Mr. Diven and Mr. Ricciardi abstained)

Chairperson:

Councilman Bob O'Connor receiving the majority of votes, will please step forward. Congratulations.

The Honorable Diven will swear in Bob O'Connor as President of Council.

Mr. O'Connor:

I, Bob O'Connor, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and I will faithfully discharge the duties as President of City Council to the best of my ability.

MR. FERLO moved to nominate Honorable Councilwoman Valerie McDonald as President Pro Tempore.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Congratulations Valerie, President Pro Tempore. I certainly want to thank the members of Council. Four years ago I was almost here. Within an hour I lost it. This time in three minutes I won it. Politics is a strange game. I want to thank everyone. I may make some remarks later, but I would like to introduce the new members of Council and respect for their families and

friends especially Mr. Diven who is our newly elected. I would like them to come up and say a few words.

I apologize for the delay. We have a great start of Council. I think the real key is our new member. You come with an outstanding name that your father left you. Your father is a life time friend of mine, well known all over the City. I believe you will carry on that tradition and really add something to City Council.

I want to introduce for the first time publicly, Michael Diven. Please come up and say a few words, Michael.

Mr. Diven:

First of all I would like to offer my congratulations to Council President O'Connor and I am looking forward to working with him as well as all the members of this Council. It's with great humility I take my place on this governing body for I know that literally the fate of our City rests in this room. I am excited at the thought of working with my esteem colleagues and taking rank amongst them. I have watched, listened, and spoken with them and I know that they are truly a microcosm of what our City holds in its potential.

On this Council sits a diverse mix of people from all walks of life and many backgrounds. Each holds their own convictions and ideas of how our City should progress. Today I become part of this equation and part of the debate and hopefully not too often part of the fight and more importantly part of the solution. It's today I cross the threshold between potential and productivity. I take this step knowing that even though my perspective may at times be different from my colleagues, we share the same common ground and the love of our great City. In taking this step, I must recognize all of those people who have given me the opportunity to serve. I know that many people have pinned their hopes and dreams for a better City on my shoulders and I wear those hopes and dreams with honor. I am excited at the opportunity to make a difference.

Since the passing of my father last January 29, I have spent much time reflecting and contemplating what is the meaning of life and more importantly what the meaning of my life will be. I understand that as young man at times I have taken much for granted, I have taken for granted the love and support of my family and all the gifts that God has given me.

Charles Gall once said nothing great can be accomplished without great men and great men are only great if they are determined to be so. Today I stand before this Council determined to be so.

These hopes and dreams for the future of our City are important to me and my tenure of this office I will hold them sacred. I will inspire to be like my father, a man of compassion. I will inspire to be like my mother, a person of wisdom and patience. I know that during the course of the next four years I will begin to transcribe the meaning of my life. It is my hope and dream that during my career in public life, I can stay focused and stay determined to rise above the every day problems and tribulations that each one of us has to face and succeed in spending my life in pursuit of a noble goal.

It is my belief that each and every one of us is called to make this world a better place. But it is the burden of those

who chose to serve in government to inspire those around us to this calling. We must follow lead by example. We must follow our hearts and mind and perspire to achieve this goal. Many of those closest to me have accused me of being too much of an idealist or having a naive sense of ultralism. My answer to them is just because sometimes the world can be less than honorable does not mean we ourselves should stoop to its level. We must remain honorable and we encourage those around us to do the same. For if we are to make our lives mean something great, we can only achieve it in this way.

I feel very confident that my contemporaries on this Council share this perspective for if they did not they would not have chosen the path of public service. I am excited in joining them to inspire the citizens of Pittsburgh to make their life mean something great and to make their world a more compassionate place. My only fear is that I am human. Being human makes me less than perfect. I know that during the course of my life I have made mistakes, and in the future I will again falter. I can only hope that God will grant the wisdom to learn from those mistakes and that I can only hope that those around me will have patience and continue to provide me with the abundance of support.

In a democracy leaders are called upon to make tough decisions, decisions which can mean a lot to those around them. I pray that God will afford me the courage to make these decisions with all of my faculties intact and that those around me who do not agree with these decisions will not turn their back or scorn me for those decisions.

I am looking forward to working with all the members of Council and with the Mayor to make the City of Pittsburgh the best it can be. I am excited. I know we have a great group of people and I think we have a lot of work to do and I am looking forward to starting.

I want to thank all those people who have given me the opportunity to be here, who have worked so hard, who believed in me. I am going to be looking forward to working with all of you in the future to make this world and our City of Pittsburgh a better place. I thank everyone for coming out today.

The Chair:

He may serve as my bodyguard since we don't have an official bodyguard.

Our next member to be re-elected is Councilman Dan Cohen. I think I believe this is your third term. Councilman Cohen and new father and I believe the baby is here sleeping a little bit during this big event. Dan Cohen is known for many things and he has a law background. We may even be rivals a little bit in the 14th Ward but I don't think anybody is more dedicated and just thinking of his child there, his two children really, Dan propelled us in the playground safety.

Maybe three years ago he worked very hard almost a year and with Mayor's and Council support we are upgrading every park in this City on the account of Dan Cohen. Dan, I can expect I am giving you a pat on the back but I expect even more from you. We can do a lot more with your ability working together. I see you being a leader and not only that but many other projects and I look forward to working with you.

Mr. Cohen:

It feels good standing up here. I thought I might enjoy it for at least a couple of minutes. I think that it was Winston Churchill who said democracy is a terrible form of government, but all the others are worse. What you have seen here this morning is democracy in full color. In that sense, I want to congratulate Councilman Bob O'Connor for being the President of Council for the next two years and I am sure he will do an excellent job. Congratulations.

It is true my four month old Maddi is fast asleep it's about time she learns to sleep through my speeches. Our older son Andrew learned that awhile ago.

Honored Clergy and Mayor Murphy, my colleagues on Council, family and friends aside from Councilman O'Connor let me also congratulate Mayor Murphy on his swearing in today for a second term as Mayor of the City of Pittsburgh. Finally let me congratulate Michael Diven, our new Council colleague. I look forward to serving with him and sitting next to him. He's already dwarfed me.

It's an honor to take be able to take this oath of office for a third term on City Council. Let me first thank the many people who contributed their time, energy and funds to my campaign. Some of my most active volunteers are here today. I really can't thank you enough for taking time from your families and from your jobs to get me re-elected. I also want to thank the voters of Bloomfield, Friendship, North Oakland, Point Breeze, Shady Side and Squirrel Hill for the privilege of serving another term. Running for re-election is different than running for election. I am very grateful for their vote of confidence.

Finally and most important I want to thank my family, my parents Hanna and Norman Cohen are here today and also my mother-in-law Lois Brody. She is the one with the bottle of formula right there. Most of all I want to thank my wife Stacy for being such a loving and supportive partner for life. Stacy is my best friend, my closest advisor and the person whom I bounce my ideas off of. It is a good thing because most of those ideas bounce right into the garbage can where they belong.

Once in awhile, during the past four years we have made a lot of progress to improve our City and to preserve the vitality of our neighborhoods. Through hard work and programs such as community policing and the Witness Protection Program, our violent crime rate has dropped to its lowest level since 1966. More over, we will have an even more professional police department with an independent Civilian Review Board and the requirements of the consent degree.

I have been proud to public safety chair during this time of public safety reform. We have also fiscally responsible by whittling down the City budget from $345 million four years ago to $316 million in 1998 without lay-offs and also building up our fund balance so that we are prepared for future needs. But even with these budget cuts we have been able to maintain city services, to sponsor important development projects and to rebuild over 50 playgrounds to ensure the safety of our children. We have come a long way but we also have a long way to go. If we are going to survive let alone prosper we must bring young people and jobs back to our region.

Important plans are on the table but we have to move from plans to reality, from blue prints to footprints. We need to build new neighborhoods. Yes, new

neighborhoods to bring families back. 9-mile run and my area of the city is a critical first step 750 new homes with new parks and maybe even a new school.

We also need to get moving on the LTV project in the South Side and begin to make plans for another new neighborhood. With a collective and private will we can stimulate residential growth in Pittsburgh. I know we can. That includes by the way housing downtown, which we finally have a first step in loft housing. I think we need to continue doing that.

On the business side we need to continue offering targeted incentives to bring business and jobs here and we must find the funds now to expand and modernize our Convention Center. There's no question I happen to sit on the Board of the Convention Center and know for a fact that a bigger better Convention Center will bring jobs and business to Pittsburgh.

When the city of Atlanta under went the economic boom of the 1980's and the Mayor of Atlanta, Andrew Young, attributed two thirds, two thirds of all their new business to a new Convention Center. At the same time that we revitalize our City we must make sure that every community benefits from our progress because of the racial polarization of Pittsburgh. We are in danger of becoming two cities not one and leaving one city behind.

The recent publication of Dr. Bang's benchmark study and the justice systems failure to account for the death of Johnny Gammage have further alienated our two communities. We have to double our efforts to expand opportunities in our African American neighborhood from taking action on the City's disparity study even to taking out those terrible traffic circles in East Liberty.

Finally, we must never forget that Pittsburgh's strength lies in its neighborhoods. In my district whether it's posting signs to shame absentee landlords in the neighborhood of Friendship, fighting to restore the gifted program for Allderdice High School in Squirrel Hill, or getting an abandoned boarded up apartment building in Shady Side back on the market. We have got to remain vigilant and protecting all of the neighborhoods in the City of Pittsburgh. I know we can meet these challenges. I know we can because we always have in the past. There is no city in America that has remained itself the way Pittsburgh has. There is no limit to what the people of this City can accomplish if we pull together to achieve a common goal.

I recently heard about a woman who doesn't make an important decision without thinking about two people first, her grandfather who is no longer living and her grandchild who is not yet born. Like that woman, we have to combine the lessons of Pittsburgh's glorious past with its aspirations for the future. If we do then I know we can make this great City even greater. Thank you very much for being here.

The Chair:

Thank you Dan. The next Councilperson I would like to recognize from the Sixth District came on board I think stronger than any Council member I have ever seen. He took over a Finance Chair that for the last two to three years as a financial problems, and with his hard work we have come for the first time for a true balanced budget. I will be honest with you, two years ago I was suggesting to him that I

didn't think a new comer or anybody not him personally could handle a finance job the first time. He proved me wrong. To show that it isn't just politics a year ago, Sala, you and I were at Mercy Hospital touring the hospital facility and I happened to be in a room privately with him. I took him aside and I told him, Sala I want to congratulate you and how impressed I was then and am now and how he handles not only the meetings but the Finance Chair. It is a very very hard job. Budget time he must put in twelve to eighteen hours a day solid. I don't think we could find a harder working Council member.

I want everyone to welcome Councilman Sala Udin.

Mr. Udin:

Thank you. You know more than many of my colleagues I am someone who can truly say that if it were not for the faith and work of many many others, I certainly would not be here. So I would first like to begin by recognizing some people and asking them to accept my thanks.

First of all I would like to recognize members of my family, would you please stand and accept my thanks. Also I received strong backing and support from the Democratic Ward Chairs and Committee People in the Sixth Council District, the Constables, the Magistrates, if any Ward Chair or Committee People are here would you please also stand and accepts my thanks.

Also I want to acknowledge the presence of a very special person. A person who I think is one of the finest public citizens in the history of the City of Pittsburgh, our wise friend and the mother of many of us, Ms. Thelma Lovit. I also want to thank Judge Livingston Johnston for coming down, Chief Magistrate Jack Simmons, Judge Jake Williams I saw here earlier, also the friends and supporters who have come down to share this moment. Thank you.

I also want to thank the wonderful Clergy in the Sixth Council District. The hard working men who are Clergymen seven days a week not just on Sunday and more especially I want to thank one Clergyman in particular who is working in Pittsburgh is more and more making him a leader in this City. He will be giving the benediction today, Reverend Johnnie Monroe.

Now I want to say very briefly a few things that some of my friends have asked me to elaborate on more at length but I promise to be brief. Over the last two and a half years together we have accomplished a lot. I am pleased that we organized resident councils to take an active role in the Hope Six projects in Bedford Dwellings and Aliquippa Terrace to give support to the Hope Six Housing Development that has reinvented Manchester. I don't know if many of you have been over to Manchester recently but houses are going up every where. A lot of the blight that you would have seen years ago has disappeared under the leadership of the Manchester Citizens Corporation and Reverend Jimmy Joe Robinson from Bidwell as well as the Federal North project along Federal Street on the North Side.

The North Side is being renovated substantially and I am glad to have been a part of that development. As a member of the Board of Directors of the Housing Authority it's been especially pleasing for me to work with Herb Ellish and Stanley Lowe and reinventing public housing in this

community. I thank them for their support.

I am also pleased to have resolved some of the nagging problems at Crawford Square, the construction problems. As you know Crawford is a very important project in our community. There were some initial problems that made some of the earlier residents in the first phase very unhappy. Most of those problems have been resolved through tenacity primarily of the residents themselves. I am glad to have been a part of that. Also pleased that to help move forward the shopping plaza the Allegheny Union Baptist Association Shopping Plaza on Center Avenue across from the Hill House. The shops there are open. PNC Bank has opened the first commercial branch right within the Hill District ever. I expect that we will soon be putting the ink to a deal to finalize the creation of a major super market. The land has been assembled by the URA and we're very close to finalizing that deal.

I am also very pleased to have been associated with the creation of a business improvement district in the downtown part of the city, which has helped give strength to the Pittsburgh downtown partnership to create the ambassadors that we see downtown. The people with the yellow jackets picking up paper off the ground, giving directions and giving help to the people downtown, eliminating the perception of danger and making downtown a more hospitable place.

I am particularly proud of the creation of the Citizens Police Review Board and the work that it took to get the petition signed to get it through the court challenges and to get the board nominated and in place. We expect a lot of them. We have also thanks to the confidence that President Ferlo had in appointing me as Chairman of the Finance and Budget Committee and desire the very difficult fiscal challenges that the City still faces. I am proud that we were able to reach a compromise on the City Budget through working together and with the help of the Mayor's office that has passed a structurally balanced budget with a $38.5 million surplus without a garbage fee, without a veto and without layoffs.

Finally, I also want to say how proud I am of the ongoing work that we are doing to create a disparity study in this City. It is a slow legalistic process but it is moving forward. It's one that will create the opportunity for the inclusion and involvement of all Pittsburghers in the economic opportunity in this City.

But I want to very briefly speak about two matters that will concern me very much during the first part of my new term. First I want to point to the recent community wide debate that was brought on by the Regional Renaissance Initiative. That initiative identified critical needs that each of us will need to be constructively involved in to expand the convention center, to create a new baseball park, a new or renovated foot ball stadium, the river front development the down town retail development, the north shore development to permanently light our bridges. All of these things are efforts that I will be pushing forward as strongly as I can.

I believe that the public debate of the Regional Renaissance Initiative was a healthy one not just because it helped us to reach consensus on how not to achieve those goals but even more importantly it helped us to reach consensus on the goals themselves.

Secondly, I want to call every ones attention to a very important date coming up

on the calendar. That date is March 3, 1999, March 3, 1999, by that date a approximately 160 thousand Pennsylvanians will have to either have jobs or loose their welfare benefits. There is not one Council District in this City that will not be affected by that date. There should be no public official anywhere in this region who fails to put forward the maximum effort to assure that these changes lead to real reform and not real suffering.

There is a movement being developed and organized throughout the state and lead by religious and labor leaders and other private organizations in support of a bill that has been presented by Senator Vincent Hughes called Senate Bill 895. That is a bill that will create ten thousand jobs a crossed the state. I have been asked to help organize support in this part of the state. I plan to enter into a resolution from Council organizing support. I plan to call on the Clergy; the Community based organizations, my council colleagues and everyone to help create the support necessary to create jobs in Pennsylvania, real jobs in the lives of the people of this city.

All of these efforts that we have been working on, that we will continue to be working on, tie into my overriding priorities. The nagging stubborn deep-rooted problems within my district namely the higher than acceptable level of unemployment and crime and the lower than acceptable levels of participation and political process. Its not mere symbolism when I talk about and complain about the open-air drug Markets at the corner of Center and Kirkpatrick within my district. It's not symbolism. It's very real. I do not believe that the good people of the Criminal Justice System in this City intended that result. However, when we declare a war on drugs, when we celebrate low crime, when we celebrate the Weed and Seed Program, while at the same time the open air drug markets at Center and Kirkpatrick is growing, then the people of my district of that community have reason to be cynical and to despair. We can only keep hope alive by closing the gap between our promises and the results. So the benchmark has to be not what we say but what we actually do, results.

Let me close by saying how deeply grateful I am to the people of the Sixth Council District for the honor to serve as Councilman. We have a lot to do. I follow in the footsteps of a long line of fine public servants who have served this City well and hand in hand, arm in arm, shoulder to shoulder let's join to get the work done. Thank you very much.

The Chair:

Thank you, Sala. We have one more Councilperson. I saved him for last. I certainly wouldn't be standing here without him. I think maybe he doesn't get the recognition he deserves. Maybe the publicity that a lot of us get, he is certainly one of the hardest workers on Council, the most honest person. I have run a restaurant chain for 20 years and I can't say I have met a more honest hard working person. I was certainly, if I had to be in a foxhole, I would want to be in a foxhole with Alan Hertzberg. But before I bring him up, I want to give some advice to Michael Diven. Michael, as a new member of Council, if I had to go to someone to ask for advice I would go to Alan Hertzberg. He would be the first door I would knock on. He has done an outstanding job. He is true friend and not only to me but to Council and a true friend of Pittsburgh and his district, I want to introduce Alan Hertzberg, Councilman of

District two.

Mr. Hertzberg:

Bob, I want to thank you for that very kind introduction. It's been an honor to serve this great City for four years. It's even more of an honor to have been re-elected to serve another four years. I am just very grateful to the people in City Council District Two that they have shown their support for me for another four-year term. I think I was probably the only member of Council that faced opposition in both the Primary Election and in the General election. Because of that or a number of reasons, I think I owe a lot of thank you's.

I am certain the list I am going to read is not going to exhaust those people that I have debts to for my re-election, but I will do my very best.

Very first on that list is my girlfriend Mari Procopio who has been with me and we have been through a lot of heck in these last two campaigns but I thank her for all her support throughout it all. Her mother Nancy Procopio and my chief volunteer throughout the tough and nasty campaigns Gene Turner.

Unfortunately, I have a very large family but none of them are able to be here with us today. My immediate family, my parents and brothers and my sister are all outside the region right now. My two kids I thought it is better to be in school today on there first day back and that's where they are.

I thank my staff they have been loyal and dedicated. They are all here today Kay Hall, Florence Dixon, Ralph Recterwald, Carolene Kowal, and my newest staff member Diane Killmeyer. I want to thank them. I definitely would be remiss if I didn't thank the Democratic Committee people and the Democratic Committee Chairs, my 20th Ward Chairman Sam Tiglilo, thank you. My 28th Ward Chairman, Rob Kaszorowski, my 19th Ward Chairman Pete Wagner, thank you. I would not be here, there is no doubt in my mind, without you. I would not been here without the excellent committee people that you have. Thank you.

I can't ever forget my Chairman over the past who is with me every day in mind. He died in August, but I will never forget what he taught me and what he's done to get me here. I think he has been invaluable to some other people I see in this room all around me, all of us from the rest, I don't think we will ever forget Dan Dixon. I think we all suffered a great loss when Dan left us. He was a great political advisor and I think we all know that and I won't forget him and he is with me all the time.

I want to thank Dan Diven for once again administering the oath of office to me and also to Council President O'Connor. We appreciate you being on the spot. I thank Tom Petrone who has supported me and who I will continue to support. He is a very good friend of mine and he is a good man. He has my support and I thank him for supporting me. Also my other State Representative Don Walko, Jack Wagner my State Senator. We have had a very good working relationship between the city and state in my Council district because of these individuals.

Our City Controller has been a terrific supporter of mine and terrific City Controller Tom Flaherty, seated behind me to the left. Thank you. Thank you, Tom. I am just going to go through a few of my volunteers. I had many and I know I am going to leave some out, but I had great

support from Joe Lang from Mount Washington now in Westwood, Ray Kinneman of Esplen, Fred Heinhold of Sheridan, Joe Fitzgerald of Sheridan, Marie Pastorius of Sheridan, Betty Ryan of Sheridan, Jerry Caralovitch of Crafton Heights, Mike Faccenda of East Carnegie, Bill Hoover of Elliott, Tom Mataszowski of Elliott, Ray Killmeyer of Sheridan. I thank them.

I have also had tremendous support from organized labor, all different Labor Unions, particularly the Iron Workers, the carpenters, the steam fitters, and American Federation of State County and Municipal Employees. I thank them and I thank everyone else who has helped me.

During the next four years in the big picture as I see it, it's not really do a lot different than we have been doing over the last four years. The big picture, I think we need to continue the path we have been on and that is to try to grow this City by growing more businesses and by attracting more residents. We have started down that path and we need to remain focused on it.

There are a lot of other issues that I expect to encounter at least in the next year or two. Who knows what else is coming down the line? That is what is fun about this job. You pick up the paper in the morning and try to figure out what you will be doing today. We know that we have this issue about potentially new stadiums. I after much thought did not support the Regional Renaissance Initiative. I respect very much those who did support it. I think they all were doing it for the right reasons. They all had in mind the best interests of this region.

I was unable to support it though for a couple of reasons. One being the fact that the whole plan was being sold as something other than what really got it started and that was the stadiums. The thing, the tax itself started to take on the appearance of a miracle tax. It was going to solve every ill that we had in this Region. I just can't believe that would have been the case or we would have solved all of our problems when we had the first 1% sales tax.

In addition, we have a tax that is in place that is designed to do exactly what this new one is supposed to do and that's our Regional Asset District Tax. We already have a 1% sales tax. I am sure that that 1% sales tax is going to be a big part of what we are going to do. I hope I can be a part of doing to try to make this work. Try to bring some new stadium development here.

I also believe that we are going to be able to bring an expansion of David L. Lawrence Convention Center, which is even more important to this region than stadiums.

Also when I took office four years ago I was very happy that there was in the works a major transportation project. The Airport Bus Way, Wabash Tunnel project, to me it was going to be great. It was going to bring jobs; it was going to bring great transportation improvements to the region. It was a win win for everyone. In the last year that has all changed. The proposals have been scaled down and it's completely unacceptable to me. I don't care what the Port Authority wants to say. Until we get this project back on track the way it was from day one, it's a total waste of over $200 million of tax payers money. I am not going to say yes to it. I am going to try to stop it.

We did face some hard times doing budgeting here on City Council and we know that that issue is not going away. We all made an agreement with the Mayor we

would be reviewing those figures. I intend to stick by that agreement but I do not intend to vote for a refuse fee. I think that's heading in completely the wrong direction. That was one of the reasons I voted the way I voted on the budget and another reason I voted that way we raised the parking tax. Let's wait and see what it does. I think that is sound economic theory that you do not have to take two major actions at one time. Take the one action and see what results. I am glad that's how we are moving and will stand by the agreement that we made at the end of the budget with the Mayor.

We have a comprehensive revision of our Zoning Ordinance in the City. It's probably the most boring topic you will ever hear but it really effects people. It effects homeowners and it effects businesses. I intend to stay involved with those issues and I am going to analyze it. I think we need to analyze it from a development and business standpoint. We can't have a Zoning Ordinance that's going to stifle business when we are saying we want to attract businesses.

It's been my pleasure to serve on the Board of Directors of the Urban Redevelopment Authority of Pittsburgh. I see the Executive Director Mulu Birru here today; he is a fine Director. He has an excellent dedicated staff. The board is an exemplary board of directors. He's been very rewarding to serve on the Board of Directors of the URA. It has helped me to bring some things to Council District Two that here before never were done for Council District Two and particularly the western part of the City of Pittsburgh which I think has a long history of being forgotten and being neglected.

I want to thank the Mayor because I think he's taken note of that also and has been supportive of these initiatives. I think over the last four years we have gotten our fair share. I am sure over the next four years we will get our fair share. I just have to question whether we don't need to go a little bit farther than our fair share to make up for past, but we will see what happens.

I want to leave by making a few comments about this City Council and first about our City Clerk Linda Johnson-Wasler, our Assistant Clerk John Mascio, our Director of Budget Kurt Salac and all the staff. They have been great, been very supportive over the last four years. I look forward to working with them over the next four years. They do a fine job and they are hard working, dedicated, good public servants.

We have a great Council. We had a great Council over the last four years. I welcome Michael Diven. I think he is a great addition. I think we are even stronger Council than we ever were. We have a great intellectual ability here. I think every member is as competent as they can possibly be to hold the positions they hold. I think we are going to have a great next four years or at least great two years for some of you, however long you decide to say.

I am looking forward to it, I am looking forward to treating each other with respect. I think we have done that in the past. I look forward to continuing to do that and just as well with the Mayor's office the Mayor's himself and the Mayor's staff. I look forward to us all working together and showing mutual respect. The same mutual respect I think that you just saw here in the activity that precipitated the election Bob O'Connor as Council President. So, I thank you. Have a good day.

The Chair:

I believe almost everyone here has been recognized but I want to run-down quickly. We have Common Pleas Judge Walter Little, State Senator Jay Costa was here, State Representative Joe Preston is here, State Representative John Petrone, District Justice Ricky King is here, District Justice Dan Diven, City Chair Sam Tiglilo, Fifth Ward Chair Bee Mahaffey, 28th Ward Rob Kaszorowski I believe was here, 19th Ward Pete Wagner, AFSCME the head of AFSME Bruno Delano is here, Chief Bob McNeiley is here, PWSA Director Tim Equals is here, Building Inspector and Chief Dom Cimino from my Council District, URA Director Mulu Birru who has done an outstanding job. One of the members of his board Dan Frankel just came in, Assistant Chief Charlie Moffin, and Bob Moffit head of Zones.

One more person I would like to bring up to say a few words, a good friend good politician and great City Controller, Tom Flaherty.

Mr. Flaherty:

Thank you. Thank you very much, President O'Connor. I am going to be extremely brief. Because the Mayor's going to be in here and throw us all the hell out of here. Then if he wants you back in, he will let you in. He's going to be sworn in at high noon.

I suppose I am here in the clean up position as far as speakers. I am greatly honored to be here and perhaps I have the most perspective having had the great honor 18 years ago to stand here and been sworn in as a member of City Council. My hats off to all the Council members especially to new members and their families and supporters. Because without a doubt, this is a day that I know we all remember the rest of our lives. Because our loved ones took the highest calling and that is to serve the public. I am extremely honored to be here with all of the great supporters of this excellent team we have here in front of us.

I especially want to take my hat of to the newest member of City Council representing the South Hills area that is our great and soon to be and is Council member Michael Diven. Because he showed us a plan, when I was up here 28 years ago, I could say I was the youngest member ever to be sworn in at 29. He blows me away by two years. So to Mike, the youngest ever you're a lot more mature than I was and I am sure you will have a great record on City Council.

I also want to site my old friend because he's been around about 18 years too; he was in the Controllers Office for two stances. I fired him one time and I rehired him and he quit one time and came back on his own and that is Council President Jim Ferlo, or I should say Council President Emeritus Jim Ferlo who really for the last four years I think gave a professionalism and decorum to City Council that I didn't see in my 18 years in city hall. I know you will continue to be a great spokesperson and to Dan Onorato.

Dan you fought the great fight, it was unprecedented here. I never saw a recess and where there was detention and went all the way down to the wire. Dan my hats off to you and to all the other members of City Council for taking it down to the wire and coming back in a magnanimous spirit and united behind Bobby O'Connor who lost it

closely last time, ran a hard race for Mayor and is a very deserving President of City Council. Thank you all very much.

Mr. Udin:

Mr. President, just one brief note. I have been notified I will not be allowed back in my office if I forget to recognize my staff Darlene Gainey, Ran Metra, Ebony McKinney and Tina Jones. Thank you very much.

The Chair:

Thank you for reminding me, I don't want to forget my staff. Marlene Cassidy and Doug Shields stand up and say hello. I would like to maybe recognize all the staff members of all Council staff members, please stand and be recognized.

There are a few other Council members that I want to recognize, Jim Ferlo who has done an outstanding job in the last four years and my hat is off to him and I commend him as you heard his basic fair well the other day. I think he almost said it was a change in leadership, not that he will give up the fight. In fact, I am almost more worried about him sitting down there than standing up here. Jim and I and sometimes the public says boy you guys are always arguing and things like that. I tell people publicly or privately that if you want to trust some one and sit down and have a beer with him, Jim Ferlo is the kind of guy you want to sit with and he has the most experienced in city government. I need that and we need that to continue on.

I will bestow upon him the title of President Emeritus so that we continue to recognize your hard work and dedication and I want to thank you for all your support and also your ability to pull this off without going five and six ballots. I think without Jim's help, this would not have happened.

Mr. Ferlo:

Thank you, Councilman.

The Chair:

Next person, President Pro Tempore Councilwoman McDonald has been a friend. Our kids went to school together. She has school board experience. I don't know how she does it, but as good as she looks she gets up, I don't know what time you get up Valerie, has to put three kids off to school and has a full time job before she probably has put half of a day or three-quarters of a day in before the rest of us get in here. I want to commend her for all her hard work and dedication.

I am going to use her not only as a more active pro tem and she is going to run a lot of the meetings, the Council Chair Meetings and the Neighborhood Meetings we have here in Council. I need her support.

One of the key issues in Pittsburgh that everybody is concerned about is education in our schools and Valerie as past president of the school board we are going to use that. I want to use this podium for more than just running meetings. It is not going to be fighting with the Mayor or things like that. It is going to be trying to make Pittsburgh better and Valerie will play a very very important role in that.

Ms. McDonald:

Thank you, Bob.

The Chair:

Next, Dan Onorato and actually I met Dan in an apartment on Hobard Street where I only live a block away. A lawyer friend of mine, a young lawyer just got out of law school said come on over I want you to meet -- we are having a little coffee for this guy who is going to run for Council against Baldy Reagan. I said what, who, is he crazy?

I met with Dan there and I said boy this guy is sharp he's good, but I don't know how he can pull that off. He did. He and I joined Council together. I believe and I don't mean to brag but I think when Dan and I came on with my business background and his law background we kind of elevated Council one or two notches. I look forward to working with him, with you Dan, to keep elevating Council so we move forward. He is a father of three kids and I know Shelly is here, I don't know if the kids are here. But I really look forward to working with you as we have in the last six years.

Last but not least, Gene Ricciardi the Mayor of South Side. Gene again is an excellent politician. I will just say one key thing if you watch the meetings and I believe most City employees do watch our meetings probably more than the average person does. There is no one sticks up and works harder and fights harder for our City employees than Gene Ricciardi. Again, I would want him if I was an employee I would want him as my union rep, my council rep, because he is very fair, especially to the underdog.

I believe we are going to continue to work with that. He is the first one that prevents layoffs and fights hard to find money. He found money for school guards, that background he brings and experience I think will be an added asset to me and the members of Council.

Briefly as Tom says we are -- we have about ten minutes, I don't want to interfere with the Mayor's re-election swearing in today. You maybe lucky because I certainly wasn't prepared for a long speech. I did run against the Mayor. I just thought maybe I was the number two quarter back and could do a little better. He won and he won a fair and hard fought race. I believe I didn't run against the man, I ran for the office. I respect Tom Murphy as much as anyone. He's worked, I don't think anyone works as hard as Tom does. I know in the next four years we all look forward to working with him in the future. Council -- we will be two bodies, but as you see, this team of nine players with a new captain, with 9 great players can do more. We have to do more ourselves and we can do more for our City.

If you just look at the benchmark in the Post Gazette, which I am tired of hearing about and tired of reading about and this goes back twenty years, in fact I will give Tom Murphy the benefit of hopefully putting us on the right direction and moving us forward. We will hear more about that in 20 minutes. I want to support Tom, support him every day. I want to work closer with him.

If I have one criticism and it's a very light criticism I think it came from members of Council, I think we can work closer together with members of Council. I will look forward to doing that with all members of Council. I know it's a tough job, and there are nine of us. I think we have to have a forum that we can communicate better. We may have our differences. Whether it be garbage tax or whatever. I guarantee you one thing, everyone in this room and if you

don't believe me look at their kids and families. We want to do what is right for City of Pittsburgh. The people of Pittsburgh that elected us. I am committed to do that. I can put politics aside.

I really didn't expect to be here today. I am honored to have risen this far. Someone who had no political experience at all. I ran a restaurant chain for 20 years before that I worked in LTV, J and L in those days. I want to work with the Mayor and the Mayor was able to pull off one of the largest groups of political support to try to keep the LTV Steel Mill.

I see things we need, better transportation, and I have Council's support on that. We have the education we are known for our Universities but yet we don't have the best education yet and we can get that with your help.

One last thing, I am on the board of two hospitals, I think our hospitals and we do not have the healthiest children in the country, we should with nine major hospitals. We have to make sure that they reach out and I will be doing that. We can do better. Our hospitals and universities can do better. We have to do it with the leadership of Tom Murphy and his support of Council.

I will wrap up one final thing almost as Alan said, my family is not here. We didn't expect this, I am not being sworn in. I hope my wife was watching before. I love my wife, Judy. I love you. She is babysitting my two grandchildren the two kids are at home. My daughter Heidi is working. She can't be watching. My son Corey is 28 former lawyer and now studying his third year at St. Vincent's to be a Roman Catholic Priest. I am very proud of him. He goes to mass every day so he is probably missing this. My son Corey who went to school today and actually has his bags packed last night packed them for the Super Bowl. He is really ready to go. I wish they were here.

Somehow, this isn't, you put things into prospective and my parents aren't here and I am going to wind, I just got a letter ironic my parents have been gone, my dad about 20 years my mother about twelve years. My dad was an average guy, a mechanic. I just got something in the mail from my cousin Elaine Leff from Highland Park. I found this clipping in her mother's scrapbook and thought you might like to have it.

I just want to read it for the record because again my family can't be here, but this was a clipping from 1942. Young marine glad the Japanese torpedo was a dud. A Pittsburgh marine now recovering in Seattle Naval Hospital from a bullet wound suffered during the fighting on Bouganville is glad the Japanese torpedo failed to explode.

Private Robert E. O'Connor eighteen year old son of Mr. & Mrs. Dennis J. O'Connor of Beechwood Boulevard related from his hospital bed the story of his closest escape while marines were taking the island from the Japanese. Our ground crew had knocked three planes out of the air. He said one of them crashed close by and a big torpedo attached to the bottom of the plane failed to explode when the plane hit the ground. I guess we were lucky.

Private O'Connor who attended St. Philamino School and had to quit to join the marines in September, 1942 was hit by Japanese sniper on the 24th day of the Bouganville fighting. The next stop was

Iwo Jima and Guada Canal. He has three brothers Donald, Ryan and Dennis all serving in the service.

I guess we never remember there are hundreds of thousands I know Dan's dad was a marine and somehow we get our pictures in the paper. I am on television what my dad did and probably hundreds of thousands of fathers like him. The only thing we have to remember is an old clipping. So, it is my way of thanking my parents for giving me the background.

I was very fortunate to have two great parents and a great family. A lot of kids out there don't have that. They don't pick their parents or especially with a divorce rate of 60% it is very tough. That is why I am standing here because of my parents. I just wanted to thank you. I won't continue but I just want to remember my dad and my mother who can't be here. But I am sure they are shining down on me. I want to thank everyone for their support. I look forward to working with you in the next two years.

MR. FERLO moved that the Rules of Council be the Rules of this body.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I would like to hold up on the appointments because of time. But I would like to make the Finance Chair because it is the most important Chair and has to run the meetings. I will nominate and appoint Councilman Sala Udin to the Finance Chair.

With that said, I believe we will end the meeting with the Reverend Johnnie Monroe, Pastor of Grace Presbyterian Memorial Church and lead us in Benediction.

Reverend Monroe:

Let us pray. Eternal God we give you thanks for the proceedings of this day, for those whom you have called through your people to lead and to serve. We pray God that they may lead with justice and righteousness and let your love be manifested through them.

Bless your people now as we leave this place, send us forthwith your presence and let us know that you have called us for such a time as this. So now send us forth with your love, your peace, with the peace of God which passes all understanding.

Keep our hearts and minds and knowledge in the love of Jesus Christ our Lord the blessed of God almighty, Father, Son and Holy Spirit, be upon us this day, tomorrow and all of our tomorrows. Amen.

The Chair:

Thank you. Thank you very much, Reverend. If there is no other business, motion to adjourn.

MR. FERLO moved to adjourn the meeting.

MR. RICCIARDI seconded the motion.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, January 13, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Ms. McDonald (Pres't Pro tem)**

ABSENT:

Mr. O'Connor (Pres't)

President Pro tem:

Would you all rise to say the pledge of allegiance and please remain standing so we may have a moment of silent prayer. We do not have a pledgee, so I will lead.

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

President Pro tem:

Amen. So you all are clear, President Bob O'Connor is not with us. I will read his letter. I regret that I am unable to be present at today's meeting. My sister-in-law Noreen O'Connor, wife of my only brother Timmy died very suddenly of an aneurysm on Saturday, January 10 in Nevada. Her funeral is being held this afternoon. I would ask that Council President Pro tem Valerie A. McDonald make the Council Committee appointments in my name for the 130 Council of the City of Pittsburgh during the Unfinished Business segment of today's business.

Of course, that will come under Unfinished Business. So you know, I do not have Bob bound and gagged in the trunk of my car. It is very legit, that he is indeed attending a funeral on a very serious moment in his life. That is his only brother.

PRESENTATIONS

We will now go to resolutions to be read and adopted.

MR. HERTZBERG PRESENTS:

No. 5 WHEREAS, it is estimated that more that $109 billion will be spent by teens this year and 25% of 18 and 19 year olds have their own credit cards; and

WHEREAS, high school seniors frequently are unprepared for many of the

critical financial decisions they need to make after they graduate; and

WHEREAS, nationally, for more than a quarter century, many Americans have been challenged to save even five percent of their income - in contrast to the 10 percent recommended by the majority of financial planners; and

WHEREAS, The National Endowment for Financial Education, the Cooperative Extension System - USDA, and The Acacia Financial Center of Pittsburgh are sponsoring "Financial Literacy for Youth Month" to encourage educational programs to give young people the financial tools they need to live balanced, responsible and rewarding lives; and

WHEREAS; this public awareness effort will help teens learn about the financial planning process and contribute to their personal financial stability and, consequently, contribute to the financial stability of the City of Pittsburgh;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim January, 1998 as FINANCIAL LITERACY FOR YOUTH MONTH in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time all those associated with Perry High School, Perry Traditional Academy Football Program, please come forward. I know we have Head Coach Gus Catanese and we have School Board Member Darlene Harris. Darlene, I understand you also have another title there, and School Board Member Evelyn Neiser. Darlene, you are the PIAA District A Committee is that right? I didn't realize that was another title you have there.

As they are filling in here, I would like to say a little bit about the team. As you know, Perry is in here a lot for proclamations. They have a great tradition of a Perry Traditional Academy and it is almost turning into an annual rivalry between Berwick and Perry and they exchange championships every other year. It is also a great rivalry in my home. My wife's family is from that side of the State, and they follow Berwick football. Every year it seems that we have a bet on this game sometimes we win some and sometimes we lose.

I want to congratulate all the young men here today. You bring a lot of pride to the City and you give us a lot to cheer about. Believe it or not you can't imagine what the press you get in the paper does for us as PR, not just the North Side but the City over all. Everyone in this region loves football and you seem to be dominating it and people love a winner and that's one thing you guys are, are winners.

I will read the proclamation and then hear from the Coach and some of the School Board Directors. Coach maybe there are a couple of players who want to say a few words, you tell me who we want to get here. Everyone is welcome.

MR. ONORATO PRESENTS:

No. 6 WHEREAS, the 1997 Perry Traditional Academy Varsity Football team,

the Commodores completed a spectacular season finishing the year with a record of 14 wins and 1 loss; and

WHEREAS, Perry advanced to the PIAA Class AAA Championship game against Berwick and was the first City league team to reach the state final since 1989 when the same teams met; and

WHEREAS, although Berwick prevailed over Perry 17-14 in the State final, the players deserve to be commended for their valiant effort and for winning all of their regular season games and the playoff games leading up to the state final; and

WHEREAS, Head coach Gus Catanese, Assistant Coaches Tom Moul, Tim Broderick, Kip Bryant, and Scott Stillmak, along with Facilities Director Frank Beakley, and Athletic Director Harry Stephens are to be commended for their efforts and guidance in leading the Commodores to such an outstanding season; and

WHEREAS, the 1997 Perry Traditional Academy 1997 Football Team: Chaz Coleman, LaMar Washington, Rod Rutherford, Demetrius Egleston, Ben Holeczy, Mark Pineda, Rob Butler, Dontae Brently, Corey Oaks, Anthony Luster, Ray Miller, William Graham, Jeremy Hamm, Jack Mars, Micah Riley, David Robinson, Chuck Griffy, John Seidl, Nate Brown, John Harris, Ken Grimmet, Brandon Slade, Frank Boyd, Adam Simpson, Ramon Edison, Malachi Walker, Mark Scanlon, Eric Lunsford, Adam Hughes, David Arlet, Anthony Evans, Chris Malara, Kevin Williams, Jay Bryant, Matt Napper, James, Jefferson, John Jones, Paul O'Donnell, Charles Linhart, Rob Moore, Robert Abbott, Devin Moore, Sulaiman Akbar, Quentin Swain, Curtis Ramey, Tim Morris, Jared Pauli, Ray Tunstalle, Earl Shaw, Larry Coleman, Mike Barr, and Mike Dusak worked diligently and accomplished much this season.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Perry Traditional Academy's 1997 Football Team on an outstanding, exciting, and exceptional season!

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I turn it over to the Coach, one thing we have to remember too, this was not just a city championship. They made it to the final game of the state; this is a very large state. You have played against the best of the best. The fact that you were there in '89 against the same team and you were back there this year you should be applauded. It is the effort you put on the field and also just the effort you put out in the community. We are very proud of you. We want to thank you again for being great ambassadors. Coach say a few words.

Mr. Catanese:

I would like to thank everyone for having us here. It's always a pleasure to come down to City Council. I see Councilman Diven here, we used to have some great games against Brashear and they are on the rise again. So, we have something else to worry about. We really

appreciate you having us here.

It was a great season, a lot of excitement for all of us. We're in this for a long time. Some of us have been around for a long time. There is nothing like getting into the city championship. When you go onto the state playoffs, I think if you would have seen our team play, the City of Pittsburgh would have been proud of the way our kids conducted themselves and the way they played on the athletic field. I am very proud.

I have been around football for a long time. I know this is one of the groups I will remember forever not only are they terrific athletes but they are great gentlemen and great scholars as well. There are a lot of kids here that are going to be going on to major colleges. I hope that you follow them in their careers. I am sure that they will do well and they will continue to represent the City of Pittsburgh well. Thank you.

Mr. Onorato:

Thank you, Coach. I also would like to hear from School Board Member Darlene Harris and School Board Member Evelyn Neiser. While I think the school is technically in Evelyn's district, you both overlap when it comes to the students over there. Why don't you both say a few words?

Ms. Harris:

I would like to thank you for having us and all of City Council. This is truly a privilege to be here this morning to honor students as we see here. These boys are special. I have sat out there in the rain and the snow to watch their games and it has been exciting not just for the City of Pittsburgh but to go on to states, I want to congratulate you guys, you're terrific.

Ms. Neiser:

I want to thank City Council for having us to here today. I am getting to be like a frequenter here and I am starting to feel real comfortable here. Maybe I will be sitting over there some day, but any rate, I want to commend our young men here for the wonderful season that they had. As Coach Catanese said on TV you win like a man, you lose like a man. I think our young men can tell you how the Steelers felt on Sunday. We have great pride in our blue and white country over there of Perry. I am very honored that I am the School Board Member for that school.

Coach Catanese, congratulations to you but we also have to say something about our wonderful band, don't we boys, and our cheerleaders who never let us down, always right there behind us and it takes all of us together but these guys are out there doing the work and congratulations and thank you so much.

Mr. Onorato:

Now Coach, any of the players want to -- any one want to speak on behalf of the players? Jay Brian.

Mr. Brian:

On behalf of the 1997 Perry Commodores we would just like to thank everybody here in City Council and everybody in the City of Pittsburgh for following us and pushing us a long. Because we did so well we would like to be honored and want to know that other people are finally noticing that City League football has a good name and that just complete

thanks for everybody who has been watching us. We are just glad that people can finally see that City league football is back.

Don't worry, I think this '98 squad might just be something and be back here next year getting another City Council recommendation. Thank you.

President Pro tem:

Thank you to School Board Members Harris and Neiser for visiting chambers. May we have continuing dialogue.

Mr. Udin:

I would like to ask Annette Williams and the students from the Weil Technology Institute to come forward. I can't tell you how proud I am of the recent developments at a particular elementary school in the Hill District, A. Leo Weil's School. It has become a technology magnet for elementary school children from all over the City.

It is such an important development because of the important role that technology has in the future of the lives of the students and the future of the City and the country. So that Weil will become as important a technology engine for the public school system as Carnegie Mellon University is for advancing technological development throughout the world. I am really proud that the school has moved in that direction. Ms. Williams has brought us four outstanding young scholars who are a model of what is available for all students in the City who have an interest in technology.

We have with us Ashley Adams who is in the fourth grade. Ashley is on the High Honor Role, the student of the month for her homeroom, a member of the school technology team and attended Camp Click, a summer computer camp sponsored by the University of the Pittsburgh. She is already in the University of Pittsburgh.

Also, Jevin McGill who is a fourth grader. How are you doing? Get your fingers out of the mouth. Jevin is also on the High Honor Role and loves football.

Robert Coleman is in the third grade. Robert Coleman is on the High Honor Role and also on the Citizenship Honor Role and he loves football.

Tashayla Payne is a third grader. She is on the Academic High Honor Role and the Citizenship Honor Role and she loves computers and attended summer camp where she also worked on computers.

MR. UDIN PRESENTS:

No. 7 WHEREAS, the Pittsburgh Board of Public Education has established that A. Leo Weil Elementary School would become the district's first elementary magnet which would emphasize technology and be known as Weil Technology Institute; and

WHEREAS, it is the mission of Weil Technology Institute to provide quality education within a standards driven, highly structured, uniformed, and child centered environment; and

WHEREAS, all of those affiliated with Weil Technology Institute recognize that technology assisted instruction, parent and community involvement, and a commitment to excellence will ensure the success of all students; and

WHEREAS, the Pittsburgh Board of Public Education and the staff of Weil Technology Institute are committed to developing a magnet program which will serve all students in the city of Pittsburgh; and;

THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Weil Technology Institute on its grand opening and its plans for offering quality education to the students of the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. Williams:

Thank you, Councilman Udin, and thank you also to all of the Council members present. This is quite an honor for our students, our teachers as I take this back to our school. As Councilman Udin did state we are having our grand opening which is Sunday. We would like to extend an invitation to join us for that.

But that day is one day our school will open and remain open beyond January 18. You're free to visit us at any time during the school year. When you visit, and we hope you will, we want you to see the vision that we have for our school being actualized. I envisioned a program, a solid educational program, that reflects our Pennsylvania and our Pittsburgh school standards being enhanced and even carried beyond through technology that will support us in the classroom and in our labs. We have high expectations for our students and ourselves and we would like you to come and see what we are doing and give us some feed back on that. Thank you.

President Pro tem:

Thank you very much. You have a dress code too, very nice.

Mr. Cohen:

Would Sue Kuhns and Needles come up here. Members of Council and members of the audience, we are here with this proclamation to honor the Central Blood Bank and to encourage everybody to give blood, to save lives, and the slogan this year is to grin and bare it. We have Needles the bear with us this morning, and with that I will read this resolution.

MR. COHEN PRESENTS:

No. 8 WHEREAS, the tradition of donating blood started during World War I to support wounded soldiers and in 1937 the first community blood center was established by volunteers in Chicago; and

WHEREAS, in 1951 the Central Blood Bank of Pittsburgh was established to serve our community and provide the needed blood for accident victims, people undergoing surgery and patients receiving treatment for cancer, leukemia and other diseases; and

WHEREAS, the Central Blood Bank of Pittsburgh has grown to serve forty hospitals in the region and has a minimum of daily need of 700 donors in order to adequately serve the public; and

WHEREAS, the American Association of Blood Banks, American Red Cross and America's Blood Centers have

joined forces to promote blood donation during the month of January – traditionally a time when blood donations decline; and

WHEREAS, to express the need for and recognize the contribution of blood donors, President Bill Clinton has proclaimed January 1998 as National Volunteer Blood Donor Month.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Central Blood Bank of Pittsburgh and proclaims the month of January 1998 as Volunteer Blood Donor Month in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Cohen:

I would like to bring Sue Kuhns the Marketing Director of the Central Blood Bank, please come up and accept this proclamation on behalf of the City Council and give us a few words of encouragement.

Ms. Kuhns:

Thank you very much. I didn't know I was receiving this this morning someone else was to do it, so please bare with me.

Thank you Councilman Cohen, meeting the ongoing blood needs for 40 area hospitals is a very difficult and continuous task for us at Central Blood Bank especially during this time of year when collections tend to drop off. We thank the Pittsburgh City Council for recognizing and proclaiming January as National Volunteer Blood Donor Month and on behalf of area patients extend our thanks to the entire community for giving the gift of life. I would like to extend an invitation to all Council members to stop by and visit us at our downtown location to donate blood during this month. Thank you.

Mr. Cohen:

Needles, you want to say a few words? I want to thank you for coming down and you are probably pretty hot under that suit. Thank you for putting it on and showing us the need to really give blood to save lives. I will be there this month. I try to go at least once a year and hopefully everybody who is watching this will do the same. It is really a very very small sacrifice that will enable lives to be saved. So thank you for coming down here. Needles, this is for you.

President Pro tem:

Thank you very much, Councilman Cohen. Councilman Cohen didn't know, I was a former employee of Central Blood Bank in the compatibility lab night shift while I was going through school. Thank you very much.

MR. COHEN AND MR. O'CONNOR PRESENT:

No. 9 WHEREAS, the Yeshiva Schools provide quality education in both secular and Judaic studies to children from preschool through high school under the guidance and vision of the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, O.B.M., and Rabbi Yisroel Rosenfeld, Dean and William C. Rudolph, President; and

WHEREAS, the Yeshiva Schools 54th Annual Dinner will be held on January 18, 1998 where two leaders of the Jewish community, Judy and Chuck Perlow, will be honored; and

WHEREAS, Judy Perlow is currently a full-time art student at Carnegie-Mellon University, the proud mother of three and past president of the United Jewish Federation's Womens Campaign; and

WHEREAS, Chuck Perlow is a lawyer and founder of Perlow Investment Corporation, founding President of the Jewish Education Institute, past chair of the Investment Committee of the United Jewish Federation and co-chair of the Renaissance Campaign; and

WHEREAS, in recognition of the Perlows' dedication to Jewish education, United States Senator Joseph Lieberman will be the keynote speaker at the Annual Dinner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates the Yeshiva Schools for over 55 years of service to the Jewish community and to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends and congratulates Judy and Chuck Perlow for their dedication to Jewish education.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

President Pro tem:

Again we will go a bit out of order. We are going to attend to Unfinished Business. Because of the absence of President O'Connor, he's asked me to make the announcements of Council Committee appointments of Chairmanships and I will go in alphabetical order of Council member.

Councilman Dan Cohen will be Chairman of the Committee on Lands Building and Procurement.

Councilman Michael Diven will be Chair of Committee on Public Safety Services.

Councilman Ferlo will be Chair of Committee on Engineering and Construction.

Mr. Hertzberg will be Chair of Committee of Public Works and Environmental Services.

Councilwoman McDonald will be Chair of Parks, Recreation and Youth Policy.

Councilman Onorato will be Chair of Planning Zoning and Land Use.

Councilman Ricciardi will be Chair of Housing Economic Developments and Promotions.

Mr. Udin will be Chair of Finance and Budget.

Those will be the Committee assignments. If there is any further

comments on the appointments, it will have to wait until President O'Connor returns next week.

We are going to now move to Presentation of Papers or I guess in order of committee assignment.

PRESENTATION OF PAPERS

MR. FERLO PRESENTED:

No. 10 Ordinance Amending the Pittsburgh Code, Title Four, Public Places and Property, Article I, Streets and Sidewalks, Chapter 419, Regulated Activities to authorize the display of advertising signs on public transit shelters. (SPONSORED BY MR. FERLO)

No. 11 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 987, Signs, to regulate the display of advertising signs on public transit shelters. (SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Planning, Zoning and Land Use.

No. 12 Ordinance Amending the Pittsburgh Code, Title I, Administrative, Article III, Organization, Chapter 111, Departments Generally, Section 111.01, Establishment; Rules and Regulations; Organization and Control, and Chapter 116, Departments of Public Safety, Section 116.01, Director as Head to provide for Council confirmation of Chiefs in the Public Safety Department, pursuant to Section 209 of the Pittsburgh Home Rule Charter. (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG PRESENTED:

No. 13 Resolution Transferring the amount of Eighty-Two Thousand Twenty Dollars and Forty-Eight Cents ($82,020.48) from various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance and Budget.

No. 14 Resolution Granting unto Paula Lenigan, 1427 Arlington Ave., Pittsburgh, Pa., 15210, her, successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on Loyal Way in the 18th Ward 3rd Council District, City of Pittsburgh.

No. 15 Resolution Granting unto Duquesne University, 600 Forbes Avenue, Pittsburgh, Pennsylvania 15219, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a pedestrian bridge over Forbes Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 16 Resolution Granting unto the Historical Society of Western Pennsylvania, 1212 Smallman St., Pittsburgh, Pa. 15222 their successors and assigns, an encroachment to construct, maintain and use at their own cost, to place historic markers on portions of right of ways at locations in the 2nd Ward 6th Council District, 6th Ward, 7th Council District and 19th Ward, 2nd Council District.

No. 17 Resolution Vacating a portion of of Roxbury Way between Bidglow and Ridgeway Street in the 6th Ward, 7th Council District, of the City of Pittsburgh.

No. 18 Resolution Vacating a portion of Webster Ave. and a portion of Blessing St., in the 5th Ward, 6th Council District, of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MS. MCDONALD PRESENTED:

No. 19 Resolution Authorizing and directing the Mayor and the Director of the Department of Parks and Recreation to execute an amendment to the Lease Agreement between the City of Pittsburgh, as Landlord, and Phipps Conservatory, Inc., as Tenant, entered into pursuant to the authority conferred by Resolution No. 798, effective June 24, 1993.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 20 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning district Map Nos. 6 and 7, by changing from "R4 " and "R5" Multiple Family Residence Districts to "R2-T" Townhouse Residence District all that certain property bounded by Brighton Road, Ridge Avenue, The "C3" Zoning District Boundary Line located between Brighton Road and Galveston Avenue, Chapel way, Galveston Avenue, Maolis Way, The "Al" Zoning District Boundary Line located between Galveston Avenue and Rope Way, Western Avenue, The "C1" Zoning District Boundary Line located between Brighton Road and Rope Way, Dounton Way, Allegheny Avenue, Jabok Way, The "M2" Zoning District Boundary Line located between Allegheny Avenue and Galveston Avenue, North Avenue West, Rope Way and the Southerly Property Boundary of lot No 173, Block 23N in the Allegheny County lot and block system, 22nd ward. (SPONSORED BY MR. ONORATO)

No. 21 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by revising the Zoning Code in its entirety. (SPONSORED BY MR. ONORATO)

Which were read and referred to the Committee on Planning, Zoning and Land Use.

No. 22 Resolution voicing strong support for an increase in the occupational privilege tax from $10 to $30. (SPONSORED BY MR. ONORATO)

No. 23 Resolution Authorizing the City Controller to transfer operating fund balances from various accounts in City Planning to Miscellaneous Services, Maintenance, in the amount of $34,781.00 for the purpose of renovating the City Planning Department, fourth floor at 200 Ross Street.

Which were read and referred to the Committee on Finance and Budget.

No. 24 Resolution Authorizing the Director of the Department of City Planning to enter into contracts, or use existing contracts, for the renovation of the fourth floor of the Department of City Planning, located at 200 Ross Street, at a cost not to exceed $32,000.00

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 25 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Mascaro Construction Company, L.P. or an entity to be formed for the sale of Parcel 1 (Block 22J Part of Lot 151) in the Twenty-first Ward of the City of Pittsburgh in Redevelopment Area No. 11, Metropolitan Street at Columbus Avenue Council District No. 6 (construction of office building). (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 26 Resolution Authorizing the incurring of non-electoral debt for the purpose of providing funds to be applied for, toward and in connection with funding a portion of the city's unfunded actuarial accrued pension liability (the "project"); authorizing the incurring of non-electoral debt for the purpose of providing funds for the project, by the issuance of its taxable general obligation pension bonds, series of 1998, in the aggregate principal amount not to exceed $255,000,000 (the "bonds"); finding a private sale by invitation to be in the best financial interest of the city; accepting a proposal; providing for maturities and interest rates; appointing a paying agent, registrar and sinking fund depositary; providing for the terms of the bonds including denominations of principal amount, dates, interest payment dates and record dates; providing for the registration and transfer of the bonds; authorizing the execution and authentication of the bonds; covenanting to pay debt service, pledging full faith, credit and taxing power for the payment of the bonds; setting forth redemption features; establishing a sinking fund; appropriating the bond proceeds; specifying that reasonable cost estimates have been obtained for the project and specifying the useful life of the project; ratifying prior advertisement and directing further advertisement; appointing professionals; authorizing and directing the preparation, execution and filing of a transcript of proceedings, including the debt statement and borrowing base certificate, with the department of community and economic development and the filing of this resolution and department of community and economic development approval with the public employee retirement commission; authorizing and directing appropriate officers of this city to do and perform certain other things and acts and to execute and deliver certain documents requisite to or appropriate in connection with the issuance of said bonds; ratifying the preliminary official statement and the distribution thereof, designating, and ratifying the prior designation of, the preliminary official statement as a "final official statement" and authorizing the approval and distribution of a final official statement and the use thereof in connection

with the sale of the bonds; depositing bond proceeds into the city's general fund and authorizing transfer of bond proceeds into the city's comprehensive municipal pension trust fund for the benefit of the policemen's relief and pension fund, the firemen's relief and pension fund and the municipal pension fund of the city; authorizing the payment of expenses; providing guidelines for permitted investments; providing for the authorization of officers; providing for payment on business days; adopting the form of the bonds; authorizing the purchase of a policy of municipal bond insurance; covenanting to provide continuing disclosure; providing for severability of provisions and repealing inconsistent ordinances and resolutions.

No. 27 Resolution Providing for a professional services agreement or agreements with KPMG Peat Marwick, LLP for the performance of the City's Financial Statement including Single Audit, Cost Allocation Study, and Regional Asset District Award Audit for the years ending December 31, 1997 through December 31, 1999, at a total cost not to exceed Five Hundred Sixty-Four Thousand Seven Hundred Forty Dollars ($564,740.00) over three years, chargeable to and payable from Code Account No. 1063, Miscellaneous Services, Department of Finance, Index Code 106302, Account 526120, Fund 1000, Organization 107000, Sub-Class 150, Budget Year 1998.

No. 28 Resolution authorizing the City to issue a quit claim deed for property in the 24th Ward, known at 11-13-15 Erk Way and 1131 Florence (Frontier) St., Block 47P, Lots 285, 286, 288 and 289 to the Pittsburgh Water and Sewer Authority.

MR. UDIN moved to suspend Rule 8 on these three bills by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills were till be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 29 Resolution providing for the issuance of a warrant in favor of the new York Times in the amount of $2,058 for payment of legal advertising costs for the leagal advertisement of September 18, 1997, Request for Proposal (RFP) to provide an Integrated Self-Assessed Tax Collection, Processing and Monitoring System.

No. 30 Resolution providing for the issuance of a warrant in favor of Annette Ganassi Olds in settlement of a claim in which a vehicle rented from this dealership for use by the Police Drug Task Force was damaged in a collision.

No. 31 Resolution providing the issuance of a warrant in favor of William Weinel in settlement of a claim in which City Public Works employees accidentally cut trees and shrubs on claimant's property, and the issuance of a warrant in favor of Treasurer, City of Pittsburgh in satisfaction of delinquent Real Estate taxes for 1997 owed by Mr. Weinel.

No. 32 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer cost for the period July 1, 1997 through June 30, 1998. Total cost not to exceed $23,857.00.

No. 33 Resolution providing for an agreement with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the JTPA Program not to exceed $24,000.00.

No. 34 Resolution providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller., in the amount not to exceed $80,000.00 chargeable and payable from Code Account 1048, Index Code 104802, Miscellaneous Services, Department of the City Controller, Index code 104802, Account 526100, Fund 1000, Org 106000, Sub 150, Budget Year 1998.

No. 35 Resolution Authorizing an amendment to the Agreement dated December 27, 1973 between the City of Pittsburgh and Pennsylvania-American Water Company, as corporate successor to Western Pennsylvania Water Company. (SPONSORED BY MR. UDIN)

No. 36 Resolution Authorizing the City of Pittsburgh to issue a quit claim deed for property in the 24th Ward, known as 11-13-15 Erk Way and 1131 Florence (Frontier) St., Block 47 P, Lots 285, 286, 288 and 289, to the Pittsburgh Water and Sewer Authority.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 37 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of various agreements with surrounding municipalities for shared sewer maintenance and repair, dated January 1998.

MR. FERLO moved to receive the communication.

MR. HERTZBERG seconded the motion.
Which motion prevailed.

President Pro tem:

There are no reports from Standing Committees as this is our first Legislative Session for 1998 so we will move into Motions and Resolutions.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTED:

No. 38 Resolution authorizing the re-appointment of Dr. Joseph Eaton as a Member of the Cable Communications Advisory Committee for a term to expire December 31, 1999.

No. 39 Resolution authorizing the re-appointment of Gil Lancia as a Member of the Cable Communications Advisory Committee for a term to expire December 31, 2001.

No. 40 Resolution authorizing the re-appointment of Jonathan R. Koerth as a Member of the Cable Communications Advisory Committee for a term to expire December 31, 2001.

No. 41 Resolution authorizing the appointment of John Straub as a Member of the Steel Valley Authority for a term to expire December 31, 2000.

Which were read, received and filed.

President Pro tem:

What is the pleasure of the body?

MR. FERLO moved to approve appointments.

MR. COHEN seconded the motion.

Which motion prevailed.

President Pro tem:

You should be advised, the first three appointments are to the Cable Advisory

Committee and they are indeed re-appointments. The other one is a new one to the Steel Valley Authority. The appointments are now official.

I would like to ask if any member would like to bring any matter forward?

Mr. Onorato:

Just one. Thank you, Madame Chair. Just for my colleagues, just so you know, I introduced a bill today that I did not Rule 8 on. It will be up a week from tomorrow, on Wednesday. I think it's been unfortunate you're going to be lobbied heavily because half the story was told yesterday. But I will pass along the resolution to you and we can talk about it.

In the resolution dealing with a tax exchange for the increase in occupational privilege versus a reduction in the parking, there is also a clause in there that takes into account some of the concerns that have been raised. That is, people who happen to use mass transit, people that are part time workers, people that are low-income individuals, and City residents as a whole. There is a clause in there that deals with that issue. We are working with the Law Department because as you know with the State Constitution and conformity law, however, there are some exceptions where you can deal with a two tier system if you are dealing with exemptions, if you are dealing with tax credits on the Pittsburgh 40. So it is away that we can on one hand try to promote the downtown and doing a tax exchange. It will not be a situation where commuters and poor people are billing out anyone else that is just totally misleading.

There is way to achieve this. I would ask that if we look at all the options, because I know I got the calls too. The people that called my office just do not understand what exactly the resolution said and nor should they have known it from what they saw or read, especially what they saw or heard. I should say and so the issue here in front of us is about an actual tax reform, tax exchange. There are provisions to deal with some of the concerns that have been raised in the last 24 hours.

I will be more than happy to share with my colleagues how that will work or even hear your suggestions of how you might want to make it work even better. It is just at a discussion stage right now.

If anyone listening here in the City of Pittsburgh, before you pass judgement on something that you think you are getting you're being taxed on that just might not be the case and we will explain the details of it probably next Wednesday when it is up in committee sessions.

Mr. Ferlo:

Just on procedural matter, I was wondering if Mr. Onorato could explain why we are not doing this as a non-binding resolution at the Legislative Session?

Mr. Onorato:

Only because of the clause I just talked about. Actually it might require a binding part of the resolution for if we are dealing with a particular tax exception slash discount for certain individuals it might take more than a non-binding resolution and that's why I put it in as this form.

So, we can have proper discussion and not try to do something over a five-second debate. If you remember the criticism last year from several members bringing in

high profile resolutions at the last minute and trying to debate them at the end of a meeting. It just wasn't fair to all our colleagues. I don't want to put this type of an issue in front of the nine of you with really miss information that I know you have heard and see I am doing it for timely purposes also.

Mr. Ferlo:

My procedural point, I don't have the benefit of the resolution in front of me but based on what Mr. Onorato just stated, I would presume that we would be required to have a public hearing, if he is actually proposing a change or anything to do with the actual tax structure of the City. So my sense is and I don't have the resolution in front of me, under the Homewood Charter I think we would be required to have a formal public hearing on the matter.

President Pro tem:

I guess that would be taken under consideration at the Standing Committees Meeting and be put forth for public hearing?

Mr. Onorato:

Yes, exactly.

Mr. Hertzberg:

I would share Councilman Ferlo's concern about a public hearing whether it is technically necessary or not necessary not having seen the legislation. I don't know. There is certainly a great number of members of the public that want to make some statements to Council on this issue. Either way I would be supportive of a public hearing if this is going to be moving forward.

Mr. Onorato:

I think you both just answered your own question of why this wasn't a non-binding resolution. I don't think an issue like this should be pushed though on a one-day notice. This is to have a Committee Session.

If it does involve a change of a tax structure, obviously you have to have a public hearing, that's the rule, that what the Homewood Charter says, and we will do whatever is appropriate at that time. So this debate is beginning, it is introduced the debate and hopefully next Wednesday we can continue debate. There is no reason to rush it. We have a lot of time to debate the issue.

Mr. Ferlo:

Before a lot of people start calling my office, if we can please, I am sure Councilman Onorato will point out this bill is a resolution I believe expressing some will or concern to the State Legislature regarding either the Occupation Tax and/or other taxing policy issue before the City. It is not a specific authorizing ordinance that would actually change any taxes in the City of Pittsburgh for year 1997. So please don't call my office if you think you are about to get a $50 bill that is not the case.

Mr. Onorato is putting out for debate and discussion an issue of tax policy involving actually a legal action at the State Legislature would have to take and not something that would be unilaterally done by this City Council. Before everyone gets excited, let's just sit down and have the discussion and review the policy that Mr. Onorato is proposing.

Mr. Onorato:

He was half right, if I could just correct him. Half of it does require state action. The other half would require City action and that is involving the parking tax issue. It is a combination of both if we ever get to that point.

Mr. Cohen:

I will save my comments till the bill comes up.

President Pro tem:

Any other matters to be brought before the body?

Mr. Ricciardi:

Yes thank you. Two matters, colleagues, first one is regarding a personnel matter and in all fairness to the administration and to Chief Cimino I have not spoken to either party directly. But over the past several months we have received correspondence from a Senior Building Inspector in BBI and also some other correspondence dating back to the late 80's. It appears that there was a decision made sometime ago that all of our building inspectors should become certified under the BOCA Code. I am in support of that. I don't have a problem with that.

But it also appears but we have a gentleman that has twenty-three years of service with the City of Pittsburgh. If one looks at his record and from the people I have spoken to including his peers, that he has done very fine job, well respected and has never had any type of problems regarding disciplinary matters.

Some people have some difficulty taking tests and they have difficulty testing, and I respect that. As a matter of fact we even recognized that when it came to hiring our public safety personnel, when it came to hiring police officers. We said maybe all of the weight should not just be on the test itself, but some other matters that were brought up.

Well it appears that this gentleman has been unfortunately failing some of these exams and not passing them. He also has with us a letter stating back under Bernard Schneider that the City will continue to present weekly review courses to all inspectors with BOCA also providing training seminars to inspectors.

Again, I am not sure if this is all being carried out, because there are always two sides of a story. But it would be a shame and a pity if this letter on January 9 did occur and that says, following is my response to the letter of suspension pending discharge dated January 6 of '98. That would be a shame that if this person is suspended now and if he is waiting discharge.

Here is what I am saying, if we have a policy here that they should be certified under the BOCA code, that policy is probably acceptable and the administration should have that right. However, if a person is having some difficulty passing exams we should continue to help that person. If at the end the person cannot pass the exam, we should look for another slot for that person in another field of responsibility. You don't just say to someone he's done a fine job for twenty-three years and then say you are terminated. So I am sure it doesn't require a resolution.

I would like to ask our City Clerk if they could finally ask the administration, we have all been reading this, but I don't know if we have anything in formal writing. If they could ask the administration to tell us what exactly their position is on this certain gentleman, what is going on with certifications and if they have made a decision on this gentleman either suspension or termination? That we are in full support, we can call a vote on this, but we are in full support of finding another position for this man.

Again, I don't know all the details but I think Valerie McDonald you have made a lot of phone calls on this, but I thought it was time that we really brought it up.

Mr. Udin:

If the gentleman that you are referring to is the person who I think it is, he's a constituent within the Sixth Council District. I have been in close contact with this gentleman as well as the Bureau Chief. As of this moment, the suspension has been suspended. The Veterans City Worker has reached an agreement with the union, the administration, and himself to delay any action for at least six months.

There will be a special program and opportunity for him to retake the exams and pass the exams. There will be no action taken immediately against this gentleman. If action is taken, I am sure that the Chief and the administration will be looking for some other opportunity rather than to simply suspend.

Mr. Ferlo:

Since we're getting into personnel matters, I did receive information regarding this gentleman and like I am sure my other colleagues sent a letter asking for further explanation. But I am pleased that Councilman Udin and Mr. Ricciardi and others have intervened.

I hope some resolution can be made of this, but there are a lot of rumors a muck right now about various department directors either being terminated or resignations pending from a number of key department directors. I don't know the veracity of any of those employee changes that may or may not happen over the next couple of weeks, if there is some process given the fact that the Mayor is now initiating his next year for four years. If he indeed is now evaluating some of his department directors, I hope that he starts fairly with all the departments, not any one particular department where people may politically have pounded him because of the action of any one department director.

I would hope if he is sincere about reevaluating or evaluating the performance of his directors that he do it uniformly across the board and that he would invite Council members to convey to him formal information regarding the performance of any director as well the public and community groups and others.

I have expressed concern repeatedly about the lack of performance of the Parks Director. I continue to have that concern. So if the administration is actually sincere about evaluating the department directors for the next four years that the Mayor will be serving, I hope he will provide an opportunity for the Public, the Community Groups, Council members and other employees including rank and file employees who had to work with some of

these directors, I hope he provides an opportunity for them to express their concerns and for him to evaluate them.

President Pro tem:

Any other comments on this matter? I appreciate Councilman Ricciardi bringing this to the Council body. It's been an ongoing battle for this gentleman. I am glad to hear that the administration has reacted positively and fairly on behalf of this individual. I just appreciate Council members being involved even though it may seem like we are crossing over. Sometimes you have to. You have to do what you have to do to have justice and the right thing done.

Councilman Ferlo, I am sure we are going to look forward to the discussion on potential or future legislation that you have in terms of the process of department directors.

If there are no other matters to be brought forward, I do want to make one announcement. The Civilian Review Board will be meeting on the North Side, in Councilman Onorato's District, at the Lady Queen of Peace Church at 6:00 p.m. to draft their proposal of rules and regulations, the public of course is invited.

Mr. Ricciardi:

On a different matter. Thank you very much. There is an issue that I would like to make public. I would also like to ask for the help of Councilman Hertzberg. It is something that I was working on when I chaired Public Works.

I will just talk about the division in my district, but I realize that two other divisions face the same problems, and that is with the Sixth Division. Currently the Sixth Division, even though the number might change to five, and that is regarding dumping.

I have held off contacting the Health Department because presently we are talking illegal dumpers throughout the City of Pittsburgh. Well, the City of Pittsburgh also illegally dumps in residential neighborhoods.

That is what is happening off of Bossman Street. I attended a 30th Ward Block Watch and we have been very patient over the years. But what is occurring is that the division is dumping while their waiting for other dumpsters to come and take the material out and obviously it causes what we consider a health problem. In terms of rodents it's also an esthetic problem in terms of what it just looks like.

The Sixth Division does a very fine job in trying to keep it clean. The men and women that work there and in trying to make it look presentable, it is not working. We have the same problem, I believe, in River View Park. As Mr. Onorato would tell you I had a chance to visit that park with him and we did our very best to clean it up. But with all due respect, Mr. Onorato, that's even away from residential area.

But if you really look at the Sixth Division, when we were talking about closing a division, I even had stepped up and offered that if a building needs to be closed, that I would be willing to work with the community and possibly close the Sixth Division building off Bossman Street instead of the one in the strip district that Mr. Ferlo was very concerned about.

What I would like to make public now is that this is just not acceptable. Sure, Public Works does a fine job, but the City of Pittsburgh cannot no longer dump illegally in residential districts.

This body several years ago passed a resolution and we spent up to $100,000 of certain equipment. We were going to move that dumping, if you recall, off of 51 Street, but the group down there, Seldom Seen, Friends of Seldom Seen, they reported us to DER, Department of Environmental Resource, that stopped us from doing that.

I am putting the City of Pittsburgh on notice now, the Department of Public Works and Mayor Tom Murphy, that within one year, this year, if that illegal and it is illegal dumping is not ceased, that I will be reporting them to the Department of Health and moving to shut them down on dumping at Sixth Division. Thank you.

When I am talking about dumping, I am talking about scrap materials, things that are coming off the street after they pick things up, things coming from the garbage cans, things that are coming from the South Side Spectacular. It is not right that the South Side Spectacular has the ability to take their garbage and dump it up in the Knoxville Community. It is just not right and the Knoxville Community is going to stand up.

I am putting them on notice now that they have one year to clean up the mess. Councilman Hertzberg, maybe if you could intervene with me and take up the ball where I left off, they are on notice now.

President Pro tem:

Any others matters or comments to be brought before the body? If not we are going to need a motion to excuse the absent member.

MR. UDIN moved to excuse Mr. O'Connor.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting

MR. UDIN seconded the motion.

And with the motion made by Mr. Onorato,

meeting was adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *January 20, 1998* *No. 3*

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, January 20, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor (Pres't)**
Ms. McDonald	

The Chair:

Before we start the meeting, I would like to thank Valerie for filling in last week. Also the unexpected death of my sister-in-law Noreen in Las Vegas, I want to thank everyone for the many cards and well wishes that I received. It was very touching and much appreciated from our family.

At this time we would all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world. Also that the hopes and dreams of Martin Luther King after the day of his holiday yesterday, we pray that his dreams come true with us today.

With us today, we are honored and privileged to have two members Catherine and David Edwards. Catherine is nine years old. She is in the third grade at Ellis School. She likes to play the piano, ballet and tennis. She is also a little bit of a fashion expert; she checks the ties I wear.

David is eight years old. He is in the second grade at Shady Side Academy. He likes to play soccer, sled ride and plays Nintendo and checks on his brothers little league performances all the time. Sometimes the coaching too, don't you?

Thanks for coming down.

Catherine and David Edwards:

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

The Chair:

I just want to mention, I forgot your parents Jamie and Melinda are here with their Grandparent Jean Molyneaux. Thanks for coming down.

I do have on behalf of myself and Council the flag of our City and Nation to present to you for coming down. One for each of you. You did a great job and I want

to get a picture of the two of you.

We have some very special guests in the audience today.

PRESENTATIONS

MR. FERLO PRESENTS:

No. 43 Whereas, President Dwight D. Eisenhower founded the International Sister City initiative to promote world peace through people to people diplomacy regardless of official governmental policy and the City of Pittsburgh is proud to have Sister City ties and relations with Bilbao, Spain; Saarbrucken, Germany; San Isidro, Nicaragua; Sheffield, England; Sofia, Bulgaria; Wuhan, China; Zagreb, Croatia; Omiya, Japan; among others; and

Whereas, thousands of international visitors, including many from the United States, will visit Cuba during the week of January 20-25 in recognition of the historic and unprecedented good will mission of His Eminence Pope John Paul II's visit to the island nation;

Whereas, a delegation of Pittsburghers is also planning to visit Cuba from February 15-23, 1998 to establish a formal Sister City relationship with Matanzas, Cuba and will visit religious, educational, medical, cultural, governmental and community based institutions to exchange ideas and good will;

Whereas, the City of Pittsburgh is home to the Global Links, an international humanitarian and medical aid organization, as well as the Pittsburgh/Matanzas Sister City organization which strongly supports normalization of relations with Cuba based on peace, mutual respect and sovereignty and is in support of H.R. 1951, a law co-sponsored by Congressman Bill Coyne (D-14CD) which would allow the legal export of food, basic medicines, medical equipment and supplies to the people of Cuba; and

Whereas, the United Nations General Assembly has criticized United States policy as a violation of international laws and treaties to which the United States is signatory such as the International Declaration of Human Rights and the Geneva Accords, the Charter of the Organization of American States; and all major religious denominations have passed resolutions condemning the US embargo against Cuba; and his Holy Father Pope John Paul II has called for ending the embargo, saying it is a mortal sin and a crime against humanity; and

Whereas, the United States is not now, nor has ever been at war with the Republic of Cuba; and the US embargo against Cuba, a relic of the cold war, is the longest, harshest embargo ever placed against any nation as documented by the American Association for World Health;

Now, therefore be it resolved, that the Council of the City of Pittsburgh hereby supports the Pittsburgh/Matanzas Sister City relationship, extends its greeting to the citizens of Matanzas, and encourages people to people communication, friendship and good will;

Be it further resolved that the Council of the City of Pittsburgh urges federal elected officials and President Clinton to move toward normalization of relations with the people of Cuba based on the principles of peace, respect for international law, friendship, sovereignty and international good will.

MR. FERLO moved to approve the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

Good morning. Would all those involved with the Kingsley Association and this resolution for Ralph Proctor come forward now? Now I need to ask is Shawn Proctor or Vance Proctor, Shawn or Vance Proctor here? They're not here yet.

Okay, Franklin whenever you get a chance, just take your time.

This resolution is for Ralph Proctor. Dr. Proctor is retiring from Kingsley and he is not able to be here today due to previously scheduled commitment in teaching, he does teach. So he had asked if one of his son's, either Shawn Proctor or Vance Proctor would accept. They are not with us at this time, maybe they will come a little later.

We do have Board Member Ed Rice who will accept the resolution on behalf of Ralph Proctor. I will read the resolution and then have some words from President Jerry Lopes, Ed Rice any other Board Members who would like to make some remarks.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 44 WHEREAS, Dr. Ralph Proctor, Jr. has retired from the Kingsley Association after nearly twenty years of dedicated Community Service; and

WHEREAS, Dr. Proctor has helped to raise more than four million dollars during his tenure with the Kingsley Association. Money that has supported such programs as SAT Tutoring, Teen Stage Productions, East End Focus on Youth, the East End Forum, the Career Intern Program, and the football and basketball programs; and

WHEREAS, Dr. Proctor's extensive background includes: Assistant Dean, University of Pittsburgh, Producer/Host of "From Our Perspective", Producer/Host of "Black Horizons", Past President of East Liberty Development Incorporated, Professional Photographer, and Lecturer of African Art and History; and

WHEREAS, Dr. Ralph Proctor has been active in numerous community activities that include the Black History Advisory Panel, Task Force on Minority Science Education, Association for Humanistic Psychology, Pennsylvania Heritage Affairs Commission, and the Advisory Committee for Black Adoption Services; and

WHEREAS, Dr. Proctor is the loving father of two sons, Vance and Shawn. He is dedicated and committed to both family and community.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends and recognizes Dr. Ralph Proctor, Jr. for his humanitarian, unselfish and undying commitment to the Kingsley Association and to the communities in which he serves.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you very much. This is sponsored by all members of City Council because basically everyone knows Ralph Proctor.

I would like to present this to Ed Rice and Jerry and all the other Board Members. Many of you probably have been with Ralph for a long time. So if you would like to have some words, please come forward. Thank you very much.

Mr. Rice:

Thank you, Valerie and Council. On behalf of Dr. Proctor, I am accepting this award. He gave 20 years of tireless service for Kingsley, took the organization that was in desperate need of strong leadership obviously at the time he took over. He rebuilt Kingsley into the fine organization that it is and positioned us to move into the next millenium very well.

So on behalf of Dr. Proctor, I am proud to accept this proclamation.

Mr. Lopes:

On behalf of the Board of Managers as President of the 105 year old Kingsley Association, I want to thank you Council. The members present up here are Dennis McCoy, Franklin Williams, Don Pferdehirt, Ed Guy, Carl Vitti, Mari Beth Hook, Ed Rice, Valerie McDonald. Thank you very much.

Ms. McDonald:

Do any other Board Members would like to make some comments? I know you know Ralph, you got to have something. This is a time to get him. This is the time to roast him and toast him in front of the entire City of Pittsburgh. He's not here to defend himself. Anybody at all?

I do want to say that Ralph is an individual who is not about a lot of limelight and all that, you know all that spectacular sailing away. He's not like that at all. He's a very quite person and he prefers that his retirement be done in a very quite fashion. Many in the general public would like to know is he going to have a huge retirement party? Absolutely no and we as a board will be honoring his wishes that he just wants to retire graciously and quietly.

But I believe we will be seeing Ralph all over the place as he normally is. He will continue to be a very busy person. So again, Ralph if you are out there, believe me, this is very edgy here. I would like to toast you and roast you right here. I won't, I will be nice today.

The Chair:

Valerie, I would like to also not only thank Ralph but the Kingsley House and your board and all the tremendous work you do for our City.

Ms. McDonald:

Mildred Wade has just joined us. She is a longstanding Board Member, Ex-President. Mildred, you want to say any words about or whatever on behalf of Ralph Proctor? Come on.

Ms. Wade:

Ralph was an outstanding executive director of Kingsley. We will certainly

sorely miss him, but wish for him the best of everything.

Mr. Onorato:

Point of procedure, Mr. President. I am sorry about this. I have to register a no on Mr. Ferlo's resolution. I just read it, and there are certain things in there I just can't support. Respectfully I have to vote no on the first resolution. (Resolution No. 43)

MR. UDIN PRESENTS:

No. 45 WHEREAS, on Monday, January 19, 1998, Hand in Hand, Incorporated will celebrate its annual Birthday Luncheon in honor of Dr. Martin Luther King, Jr.; and,

WHEREAS, Alfreda Tyson, Founder of Hand in Hand, Incorporated, has received many honors for the dedicated and diligent work she has contributed throughout the county. Her goal has always been to bring all races together and bridge the gap of intolerance; and

WHEREAS, Hand in Hand, Incorporated is a non-profit organization working in the tradition of Martin Luther King, Jr. to promote peace among people of all races; and

WHEREAS, Hand in Hand is an organization that awards scholarships throughout the county to those who have strived to pursue the goals of Martin Luther King, Jr.; and

WHEREAS, the 1998 outstanding honorees are: Neal Hughley, Jr., Executive Director of I Dream A World, Inc.; Horace Turner, a musician who works to present local talent and entertainment to the Pittsburgh community; Ruby Young-Hardy, Treasurer of the Jazz Preservation Society of Pittsburgh and award recipient of numerous professional achievements; Harold W. Young, Executive Director of Jazz Workshops, Inc., and program coordinator for the Center for Race Equity; and Reverend Joseph Underwood, Assistant Pastor of Holy Cross Science Temple and teacher of music and voice to young people of this region.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh joins Hand in Hand, Inc. in congratulating the 1998 Honorees for their outstanding accomplishments.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

We will now move to presentation of papers.

MR. FERLO PRESENTED:

No. 46 Resolution Amending Resolution No. 520, effective August 15, 1997, entitled "Providing for a Project Cooperation Agreement with the U.S. Army Corp of Engineers to acquire right-of-way, design and construct the Lower Saw Mill Run Flood Protection Improvements and to commit the City's share of $3.525 million, " by providing partial funding for the City's share of the project costs; by providing for a Reimbursement Agreement with the Pennsylvania Department of Environmental Protection for 50% of the City's share of

project costs; and by providing for Reimbursement Agreement with Alcosan for their share of the City's costs of this project.

Which was read and referred to the Committee on Engineering and Construction.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday, since this has already had interim approval this past week and Director Reginella has requested it.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 47 Resolution Amending Resolution No. 746, effective December 2, 1997, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Community Development Locations; and providing for the payment of the cost thereof," by decreasing the total project allocation by $25,000.00 from $50,000.00 to $25,000.00.

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG PRESENTED:

No. 48 Resolution transferring the amount of $5,000.00 from Code Account 1001-2, Salaries and Wages, City Council, to Code Account 1001-1, Miscellaneous Service, City Council. (SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 49 Resolution Providing for an agreement or agreements, or use of existing agreement or agreements, with the County of Allegheny to provide outgoing mailing services for the City of Pittsburgh on an annual basis, at a total cost not to exceed Four Hundred Sixty Thousand Dollars ($460,000.00) per year, subject to annual budget appropriation, chargeable to and payable from Code Account No.51, Departmental Postage, Department of Finance, Index Code 005108, Account 525900, Fund 1000, Organization 999200, Sub-Class 150, Budget Year 1998.

No. 50 Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in a 16 foot by 16 foot area of property of the City, fronting on South 18th St., known as Southside Park, in the 17th Ward, designated as Block 13 B, Lot 48.

No. 51 Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in an 11.5 foot by 23.5 foot area of property of the City, fronting on Bon Air Avenue, known as McKinley Park, in the 18th Ward, designated as Block 34 D, Lot 20.

No. 52 Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and

Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in a 16 foot by 18 foot area of property of the City, fronting on Elsinburg St., known as McKinley Park, in the 18th Ward, designated as Block 34 D, Lot 20.

No. 53 Communication from Barbara M. Parees, Director of Personnel and Civil Service Commission, requesting approval for John Turyan (a non-city employee) to attend up to seven meetings during 1998 to represent the City in his capacity as Chair, Pittsburgh Private Industry Council and Board Member of the National Assoc. of Private Industry Councils. Total cost of travel shall not exceed $7,000.00, payable from the JTPA-1 Trust Fund.

Which was read and referred tot he Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 54 Communication from Tom Flaherty, City Controller, submitting the Performance Audit for Special Events Cost Recovery in the City of Pittsburgh from 1987-1997, dated January, 1998.

No. 55 Communication from Tom Flaherty, City Controller, submitting the Performance Audit on the Privatization Contract Compliance Review, Phase II: Street Lighting Services, Dept. of Public Works, Street Lighting Division, dated January, 1998.

Which were read, received and filed.

MR. HERTZBERG moved to read, record and file the communications.

MS. MCDONALD seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

Mr. Udin:

Point of order to record a yes vote on all resolutions that were read while I was out of the room.

Mr. Ricciardi:

Regarding Unfinished Business, concerning nominations to the Civilian Review Board, I would like to make it known that Joanne Herman was a joint appointment of Mr. Cusick and myself from the Carrick area. She informed me personally that she would like her name withdrawn from nomination of that particular board for personal reasons.

For the record, that gives the nomination, the ability to nominate a person from that district to Mr. Diven. So I would like to ask Linda if you would please withdraw Joanne Herman's name.

Just for the record she is a very very fine woman. Very involved in Public Safety affairs in the Carrick area. I am somewhat disappointed that she withdrew her name. I would like to make that for the record and make sure that Mr. Diven realizes that he has a nomination appointment to that board.

The Chair:

Are all nominations in? Still waiting for a couple? Please try to finalize that this week.

I would like -- since I wasn't here last

week and we put a lot of work and time and effort into the committees, only a few remarks I have. I believe everyone, we spent a lot of time, and it wasn't just a political appointment that we worked out who fit each committee.

I believe most of us came to an agreement. The committees have been, I think, lackadaisical Council members dealing with our committees. I feel it is a new challenge. We have to work with our committees whichever one we are on. Not only because of our Wednesday meetings and I believe to be more involved. But I think the morale of the employees to see us as chairman of that committee more focused on the committee and working with that director will bring a lot to the employees and start moving this City forward.

Naturally the biggest challenge is the budget. Mr. Udin working with Council's budget and the Mayor's budget staff will be preparing for us in the next week or two a plan that will show on a monthly basis where we are on the budget.

I think it is very crucial. We won't be able to solve a problem unless we know there is a problem. With his leadership, I believe we will actually be able to see where we are on a monthly basis so we don't have to have a crises in May or June. So we are really looking forward to Mr. Udin's leadership on that.

Concerning the stadium, convention and economic development, Mr. Ferlo's bill, I expect to have the names and the committee formed by the end of the week. I have been working with the Mayor on that.

The last bit of business I had, Mr. Hertzberg worked very hard and a calendar will be presented to you today for the yearly calendar of meetings. If there is any questions or comments on them before we finalize it, I would like that done this week.

A couple of changes, we have set Public Hearings to be scheduled on Tuesday at 2:00 would be our primary one, secondary would be Thursday at 10:00. We are looking at all Post Agendas to be at 2:00 on Tuesday.

I don't think it is fair to hold it right after the meeting since most of our meetings have been going on an average of close to three hours. So any Post Agendas we would look at 2:00 on Tuesday -- I am sorry Wednesday after the Finance Meeting.

Mr. Udin:

If I may, this may be a good time to encourage the indulgence of colleagues to arrange their appointments on Wednesday in such a fashion to allow them to stay for the entire meeting of the Standing Committee. If they just must leave, then I would hope that their comments before their departure would be brief.

The Chair:

I believe what we are trying to do is help your schedules, future schedules so that Wednesday you know the length of the meeting and then Post Agendas would be that day. I believe by having these prescheduled, it will help your schedules and we will not have to leave as you mentioned.

No further discussion?

Mr. Hertzberg:

On a different matter. I am going to

change topics, is that okay? The topic of trying to reduce the Truancy problem in the City of Pittsburgh is an item of unfinished business that I just want to raise now briefly and to try to refresh everyone's memories.

In 1994 we had a series of discussions and a Public Hearing on a piece of City legislation, an ordinance which primarily made Truancy a violation of the City code. Thereby allowing the City Police to enforce the Truancy laws.

Within about a year and a half from the time the City passed that law, the state went ahead and passed a law that in fact gave municipal police all over the state the ability to enforce Truancy laws. At that point, we rescinded our law because the state law was actually stronger and actually had a penalty in there, suspension of drivers license which only the state can do.

Since then we passed a City Curfew and created a Curfew Center known as the Safety Zone. We had discussions at the end of 1997 in conjunction with the budget and in conjunction with a lot of things about that Safety Zone, about the cost of it. One of the issues that came up was the issue of Truancy and possible utilization of that facility for enforcement of the Truancy laws.

We kind of put that off but we are now, I believe, ready to move ahead now with a comprehensive policy on enforcement of the Truancy law in the City of Pittsburgh.

What I would like to do and I think Council needs to be updated on how far and where we are ready to go with this issue, I would like to call for a Post Agenda Meeting on this topic. In keeping with your memorandum, Mr. President, I guess it would have to be next Wednesday at 2:00 then. We would like to have it next week.

Maureen Fruman from the Mayor's office has been working very hard and she's brought together a coalition from a variety of different school organizations. So she would certainly need to be here at the Post Agenda, also our Deputy Mayor Tom Cox, Dr. Frederick from the Pittsburgh Public Schools, the superintendent should be there. Dr. Henry Benz who's worked very closely with Maureen, also the Allegheny Intermediate Unit which is very involved in this process and needs to have a representative. I think our City Police Chief, Chief McNeilly, should be invited to the Post Agenda, Chief Fadzen, the Chief of the School, City School Police and also our County Sheriff Pete Defazio also. Councilwoman McDonald has also been very involved. I don't know if she wants to add anyone to that list or make any comments.

Ms. McDonald:

I have been working with Alan. The whole Truancy legislation he's working on. That was his legislation. I am pleased to be able to work with him as Chair of Parks, Recreation and Youth Policy. That's probably going to be one of the biggest factors in this whole committee assignment is that youth policy. We have to deal with our youth.

I look forward to the Post Agenda; I look forward to all the comments that will come forward from colleagues and from people who have been invited to the table.

One person, Commander Elliott, I am not sure what her title is now in the police department but I know at one time that she, probably still is, in charge of that

arena that deals with youth in terms of policing. She may need to be added and possibly the Board President Alex Matthews.

It's an important issue. I believe that the Curfew Center is one that yes is very underutilized. If we continue to put monies forth to maintain it, we need to collaborate and make it useful. The Truancy issue could be a very useful issue to fill that -- let me reword that, not to fill it. Lord knows we don't want to present a picture that kids are all over the place, but that there would be utilization of that center.

The Chair:

We will hold the Post Agenda. Again, Ms. McDonald, what you said I think review any youth policy people who should be invited that haven't been named yet.

I think it's a very important initiative and possibly even the District Justices. I know there was some legislation that involved District Justices on how to handle curfews at the time. Maybe one of their representatives should be here.

Mr. Hertzberg:

Okay.

The Chair:

We will have the Post Agenda next Wednesday. We have time to make sure everyone is properly invited.

Mr. Ricciardi:

Mr. President, I am very pleased that you mentioned the fact regarding committee assignments. First of all let me say I am very excited about the committee that I have been appointed to but I just don't want to pass it over. I think we have to really do justice to the conversation. I had opportunity to study the Rules of Council and the description of the committee that I have been appointed to, for example Housing, Economic Development and Promotion.

I didn't realize the amount of responsibility that the previous Chair, Valerie McDonald, had with the committee. But I would hope as you stated, Mr. Chair, that we would become more involved in our committee in the description.

For example, the committee that I will be chairing has oversight of the Human Relations Commission. I had no idea and I plan on doing a very good job working with that. We also have oversight on promotion, promoting the City of Pittsburgh. As everyone knows here there are several organizations out there promoting the City. I plan on calling a Post Agenda to bring us all together.

I had no idea that I was also going to be responsible for all the URA activities that come through this City Hall. Obviously we have a person who sits on that board, Mr. Alan Hertzberg, who is very able to do a fine job. He sits on that board as a board member.

However, if one reads the description, I am looking forward to working with Director Birru involving all the URA activities including the Development Fund Initiatives. I had no idea that the job description covered the Development Funds Initiatives. I will be having a Post Agenda on that.

All monies that go through that Development Fund even the smaller dollar amounts, not just the TIFF's. I think we should know about and of course we don't have approval over, however we should have a lot of input over. For example, a lot of the dollars have been used in my district. Most of the dollars I have been very pleased on, some dollars I am not. I don't think certain projects should have received funding.

I just want to let this body know that I am going to be very involved in the committee assignments. I want to thank you for the committee. I am looking forward to working with that all the way from the URA activities to the Human Relations Commission and especially promoting the activities here in the City of Pittsburgh. So I want to thank you for that committee.

I agree with you, Mr. President, maybe we should all take a step back and read the job descriptions of those committees. I never realized the breath of the committee that I have been assigned to.

The Chair:

As I stated, I believe there is a lot more we can do and a lot more we can help the City by getting more involved with our committees as you stated.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:
Bill No. 56:

Report of the Committee on Finance and Budget for January 14, 1998 transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 27:

Resolution providing for a professional services agreement with KPMG Peat Marwick, LLP for the performance of the City's Financial Statement including Single Audit, Cost Allocation Study and Regional Asset District Award Audit for the years ending December 31, 1997 through December 31, 1999 at a cost not to exceed $564,740 over three years, chargeable to and payable from Code Account No. 1063, Miscellaneous Services, Department of Finance, Index Code 106302, Account 521620, Fund 1000, Organization 107000, Sub-Class 150, Budget years 1998 through 2000, subject to annual budget appropriations for the same.

Which was read.

Also,

Bill No. 28:

Resolution designating Banks and Lending Institutions to act as Depositories for the year 1998 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion?

Mr. Cohen:

On Bill 27 regarding a professional services agreement with KPMG Peat Marwick, I would like to make a motion to recommit that bill.

The reason is we had a long discussion about this last Wednesday to try to understand how the administration came to an agreement with KPMG and Peat Marwick and we asked Director Hennigan for information to be provided to us before this meeting.

I have not received such information. I don't know if my colleagues have, but it would include the dollar difference between Peat Marwick and whatever the second company was and also the difference in the scope of services that was provided by those companies.

I at least have not received that information. I do think it's an important issue. I think we need to have that information to be able to make an informed vote.

MR. COHEN moved to recommit the bill.

MR. ONORATO seconded the motion.

The Chair:

Discussion on the recommittal?

Mr. Ferlo:

If the bill is to move ahead today, I would have to vote no as I did in the Committee. I do not understand why this company that has had this contract for many many years, I think it's been at least even as far back as the previous Mayor, continues to have such a significant increase in the yearly contract.

It's not rocket scientists, the rocket science, this company has done this work repeatedly I think for at least the last five or six years. I do not understand why there is such a significant increase in the annual cost, especially since we have invested millions of dollars in computer software in terms of the operations of the Controllers Office.

I don't want to do anything that is going to impede the ability of the annual consolidated report to come out by May 1st, but this just seems like a handout to KPMG. I don't agree with it.

The Chair:

Were those discussions brought up? I missed the Standing Committee.

Mr. Ferlo:

I don't know that we got good answers. I don't think the Director was able to explain at least at the table what the dollar difference was.

Mr. Onorato:

I strongly support the recommittal. If it was called for a vote today, I would also vote no. I am also going to be presenting an amendment tomorrow. I want to let my colleagues know in advance, that if this particular firm is going to be hired, I am going to put in an amendment that the contract is equal to what the lowest bid was and give them an option if they want to come in at that number. If they don't, then give it to the lowest bidder.

I don't think the City should have to pay the increase because we want to pick somebody over the lowest bidder. Unless someone can show to me that the lowest bidder was not responsible and we did not hear that last week. It was more about a personal preference. I think we should at

least let the bidding process benefit the City.

I think that amendment will at least do that. If KPMG does not want to live within those constraints, then I am willing to support giving it to the lowest bidder.

Mr. Udin:

I would just, I am not necessarily arguing for the proposed contractor, but I would remind colleagues that the lower bidder also bid a lower percentage of time that they would devote to the audit. So when we compare the two, I think its important that we make sure that the amount of time that the, whoever the contractor is, prepare to devote to the task, is adequate for our needs.

Also, I just wanted to inform colleagues that the Finance Office has been deluged with work from myself concerning the new budget monitoring process that we have set up. They are also preparing a number of financial documents, for the visit to the credit rating agencies in New York.

I had asked for the information to be submitted to Council on time. They were not able to do that but they're working on it presently. They fully expect this bill wanted to be recommitted until tomorrow and they will have the information that Council requested at tomorrow's meeting.

The Chair:

All those in favor? Any more discussion?

Mr. Cohen:

One last point, may not be the last point. My understanding is that there was a significant monetary difference between the two bids, well over $100,000 in my understanding.

My other understanding and I would defer to my colleague Councilman Onorato who is a Certified Public Accountant, that is an accounting firm says they will perform the work, they are under the legal, contractual and legal obligation to fulfil their obligation.

So if there is that kind of discrepancy or frankly any discrepancy between the two bids, I am not saying that we should not have Peat Marwick. I think they have done an excellent job in the past. But I think we should turn around and say do the work for that lower amount. I think that's only fair to allow them to do that.

Something over $100,000 is a significant amount of money given our budget situation. So I certainly would join with Councilman Onorato on that amendment if it comes up.

Mr. Ferlo:

I think, under professional service contracts as opposed to competitive bid in the true sense of the contract language in the City Code of Ordinances, if we have like an equal qualified bidder, in this case under the professional service contract, I don't understand why we wouldn't give extra consideration to a Pittsburgh based company that pays the Business Privilege Tax and is housed in the City of Pittsburgh.

So, I got no sense from the administration at the table the other day that they gave that any thought and they were not able to respond to that as well as the monetary issue.

I don't understand this issue because one company can do it for less hours versus more hours, that's not our problem that is their problem. If they can't perform the work whether it's 60 person hours or 30 person hours, that's irrelevant. They're under contract; they either do or do not do the work.

I don't understand why we have to carry the burden because one company says they can do it more efficiently than the other. I didn't understand that statement by the Director at the table.

Ms. McDonald:

I would like to request that the Controllers Office administration bring forward figures when we talk about more hours, efficiency, it would be nice to have some specificity there so we can see a breakdown.

I don't know what the bids, if it was bid, what they even looked like. If there was a great amount of dollars, a $100,000 spread between two final figures, but it would I think help this body to deliberate better if we had some figures, hourly figures, other costs, just break it down. That is what I am asking the administration to bring tomorrow.

The Chair:

We have a motion and second to recommit. All in favor? Motion passes.

The Chair:

We have one other bill. The bill is now ready for final action. All in favor of the passage of the bill vote aye when your names are called, all those opposed, vote noe.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

The bill having received the legally required number of votes has been passed finally.

MS. MCDONALD PRESENTED:

Bill No. 57:

Report of Committee on Parks, Recreation and Youth Policy for January 14, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 19:

Resolution authorizing to execute an amendment to the lease agreement between the City, as landlord, and Phipps Conservatory, Inc., as tenant, entered into pursuant to the authority conferred by Resolution No. 798, effective January 24, 1993. (This amendment would permit Phipps Conservatory, Inc. to occupy that portion of the Schenley Park Engineering Building along with related parking areas,

which have heretofore been occupied by the City of Pittsburgh)

Which was read

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? Hearing none, bill is now ready for final passage.

All in favor of the bill's passage will vote aye when your names are called, all those opposed please vote noe. Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill received the final legal number of votes and is passed finally.

MOTIONS AND RESOLUTIONS

THE CHAIR PRESENTED:

No. 58 Authorizing the Re-Appointment of Dan Frankel, 5329 Fair Oaks Street, of Pittsburgh, as a member of the Urban Redevelopment Authority, term to expire December 2, 2002.

Mr. Hertzberg:

I request we have Mr. Frankel at the table as soon as we can get him, whether it be tomorrow or next Wednesday, to discuss this appointment with him.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Mr. Frankel will be here.

Anything else under motions and resolution?

Mr. Ferlo:

I woke up this morning to KDKA, and hearing my colleague Councilman Onorato, who I did appreciate his comments. He was right on target. As well State Representative Walko concerning comments by State Representative Republican Habay who went as far as I was concerned ballistic over a proposal that really -- I don't know even materialized. That is the issue of whether or not it would be prudent and advisable of Council to win support from the State Legislature on any increase in the City's Occupation Tax or for that matter the occupation tax for any municipality that collects it.

I really think it is nothing more than very shallow posturing on the part of this individual, Mr. Habay. I was very pleased at comments made by State Representative Walko who responded very quickly to the attack.

First of all this was a proposal that was offered for debate and discussion by one of our colleagues. It was not a formal action

of the body. In no way could Council unilaterally change this tax without an action of the State Government.

Having said that, I think it basically is what Mr. Walko said it was, it was an attempt for this gentleman who is up for re-election basically used the City as a whipping person.

The fact of the matter is Mr. Habay did not support the procedural votes that were needed. If he were truly sincere in not wanting to support the Regional Renaissance Tax, if he was sincere in not wanting to support the gas tax republican led, including a zone vote significant increase in gasoline taxes in Pennsylvania, as well the significant increase in the automobile fees associated with the Ridge Administration's increase in not only the gas tax but the yearly obligations for automobile drivers, those are measures that really Mr. Habay himself supported.

Now he's up for re-election, so all of a sudden it has become convenient to attack the City of Pittsburgh, my colleague and this body over something that was nothing more than up for discussion, debate and exchange of ideas about taxing policy.

I think it is very unfortunate. I know another TV station was up here earlier, all of a sudden because this guy kind of pontificates early morning on the John Signa show, in this case Mr. Habay that there is a major issue. There is no issue. Now it is taking on a life of its own, that is unfortunate. I expected better from our State Representative Mr. Habay.

Mr. Onorato:

Let me thank Councilman Ferlo for his comments. I wasn't going to even bring it up but since he did I do want to say one thing. I want to thank State Representative Don Walko, also. I know that he and I don't always agree and we don't always agree here with him. But on this one here, there are a lot of things that I do agree with Don Walko and he was absolutely right. I think the tragedy of what I heard this morning, or the discouraging point of this morning, is that the misinformation that was put acrossed as fact.

For one, Representative Habay was screaming about the parking tax rate. Yet the debate that I brought forward was an actual dollar for dollar tax swap that would have reduced the parking. But he didn't want to talk about that. That was misinformation number one.

Misinformation number two, the Representative is mistaken to think that only the municipality of the City of Pittsburgh has the Occupational Privilege Tax when in reality every municipality has the Occupational Privilege Tax. If he is going to repeal it, he is going to repeal it for all municipalities including the ones he represents. I think that point should be brought out.

The third point, which really shows that he put this up just for a re-election hit. I made it very clear as a courtesy to my colleagues that I have already made the decision to table it and to remove the bill from debate because of how it was played out in the media as a tax increase only. When it was actually a tax reformed issue to be debated and discussed that came out of our Public Hearing in December, where we had a lot of discussion on the parking tax increase and how can we possibly repeal it and do a responsible thing and find revenues

to replace it, if we do repeal it.

That was the only issue behind my proposal for the discussion. I was hoping that the debate would have been what taxes can we reduce in the City to keep reasonable and competitive. But instead, people just focused on a perception of just increase only, which this was not that. It was a tax swap.

But Representative Habay though took advantage of a situation that didn't exist basically and was lead by I guess a receptive media at this point to treat some of his misinformation as facts and they just weren't the case.

The bottom line today is, there is no tax increase proposal, there never was. Council can't do that. The ironic thing here is Mr. Habay had the power to vote up or down the whole time under my proposal. We were just asking the State Legislature to debate the different options. So, for him to imply, he is standing up there trying to stop us from doing something, he had the power the whole time. The power to do the tax swap was in Harrisburg, not in the City of Pittsburgh.

I thank Councilman Ferlo for his comments and I definitely appreciate and thank State Representative Don Walko for having the courage to stand up and to correct the misinformation that was put out this morning.

Mr. Ferlo:

Just so I am clear, for Mr. Habay basically he is a snake oil salesman. He wanted all the political action pact money from all the big shots that were pushing the Regional Renaissance Tax. So he was all for the tax, he took the pact money, made out like a bandit. But then when it became something that the voters had to actually review and make an intelligent decision on and they actually began to read Senate Bill 125, then our good friend Mr. Habay, the snake oil salesman that he is, does a topsy-turvy and says oh no, I am against that tax.

He took all the pact money from all the corporate lead in this City when he wanted to put it on the ballot took the money. But when it got to the point when the voters were actually going to read and make an intelligent decision, all of a sudden he takes the power on and says he is against the Regional Sales Tax and what a terrible thing that would be for our region. He did the same thing. He voted and says in the end that he voted against the gasoline tax, but in fact he didn't support the motion by Representative Veon to recommit the bill.

The critical vote, if you were sincerely opposed to the gas tax increase by Republican Ridge and the Republican House, you would have supported the measure to recommit the bill by Mike Veon. He didn't do that. Again, snake oilism. He wanted to be for it and against it at the same time.

His constituents aren't going to be fooled. He has shoved a gas tax increase and an increase in automobile fees down the throats of his constituents.

I suggest Mr. Habay spend more time worrying about those votes than the non-discussion relative to the occupation tax.

The Chair:

I think some good points were

brought up. Most municipalities have the occupation tax anyhow, including Mr. Habay's. I have a call into him. This is no way to start cooperation with the City and County and I would ask to meet with him and see if he will stop pursuing this train of thought. Again with some of the things you have said --

Mr. Ferlo:

Maybe we should start talking about his exercise club $50,000 that they have.

The Chair:

We need to work with Harrisburg. I think Mr. Onorato put it out. I think we are all entitled to do those things right or wrong. So let's hope it doesn't start World War Three with the Legislators. I was glad to see so many legislators come to the defense and not support his actions.

No further discussion?

Mr. Ricciardi:

On a different issue. Mr. President, colleagues, the assessment fiasco continues here in Allegheny County especially in the City of Pittsburgh, of which South Side and my South Side slopes and Hill Top communities are a part of.

I am sure all of you along with myself over the weekend have fielded dozens of phone calls, literally dozens of phone calls. I have been to so many homes over the weekend.

It is true that property values increased here in the City of Pittsburgh and it is true that property values should and hopefully do increase in the South Side flats, but it is just unheard of that people are getting their assessments tripling, tripling. No market value can triple over night. It is just unheard of.

I was with a woman last night who is in her 70's. Her assessment tripled, her tax bill reflects that. Her tax bill is going from $367 per year to $1,167. She's in her 70's. That's not been budgeted for her. This can't be Judge Wettick's self imposed 2% increase in assessment, they're tripling. We have a real problem here. I would like to put something's forward, if I may.

Number one, Mr. O'Connor, I would like you to contact the County Commissioners if you will and offer them this forum here. Not a debating session with Council members here, but just the cable TV forum, where they could go on the news, on cable TV and explain to constituents what the assessment process is and what's happening with it and how their bills are supposed to reflect their market value. To properly explain to constituents and taxpayers out there what's happening.

I think all constituents out there that are receiving these outrageous assessments should call all three County Commissioners and hold all three responsible.

On another note, if I may, this City Council passed along with Allegheny County the Property Tax Relief Program in 1993, which would freeze assessments at the '93 level. We have our threshold at $20,000 per income, per family. Allegheny County has theirs at $15,000. Unfortunately, the City of Pittsburgh School Board is not even participating in the program, which is more outrageous. Because at least we know our constituents are receiving City services. It is questionable if they are receiving any

Allegheny County services. But I know the woman I was with last night, another lady in her eighties, she doesn't have any kids in school, her child never even went to the public schools, and they are not even participating in the program.

Hopefully I would like to pass a resolution today that we ask, we respectfully ask the County Commissioners to increase their threshold of $15,000 of income up to the City's base of $20,000. We also respectfully ask the School Board if they would participate in the program at the $20,000 level.

This way it is going to be uniform. It's going to be a little more generous to the taxpayers; it is their money. It is going to be easier for everyone involved on an administrative basis because now our Finance Department is taking some paper work, Allegheny County takes some paper work, and then they see who falls within the certain threshold. But as I stated where at $20,000, the County is at $15,000, the School Board is not participating.

My resolution would ask Allegheny County to increase their threshold from 15 to 20, and ask the School Board to participate in the program. Because even now and some of the older people including myself, if you read one of those assessments forms, it is confusing. You have the City's threshold, you have the County, you have the School Board not participating and then you are paying taxes on three different assessments on your tax bill.

That's the resolution I am putting forward, Mr. O'Connor. If you could give them the ability to air their remarks and this resolution.

The Chair:

Let me ask, because it's come up to me again, we have had numerous phone calls, when you passed the 5% you couldn't raise it more than 5% especially with seniors, people who lived in their homes more than ten years, where is that? Isn't that in to play?

Mr. Ricciardi:

Thank you, Mr. O'Connor. That's the gentrification bill that I did sponsor. However there was so much input from everyone on Council we did pass that. The gentrification bill does cap the assessments at 5%. If your property is not receiving improvements but everything else around you is increasing. There was a court case and now I believe there might be some Common Wealth proceeding cases. So, that is sort of up in the air. That still only caps at 5%.

The 1993 Property Tax Relief Program actually freezes the assessment at the '93 level. So that program is much much better and beneficial to the taxpayer.

The Chair:

I don't know if that's legally going to hold. I thought the 5% increase was reasonable.

Mr. Ricciardi:

I thought so too. One judge ruled that I believe it was invalid and Mr. Onorato is saying I am correct, and maybe we could look into it. I don't mind discussing that, but I hope we go back to the resolution before us.

MR. ONORATO seconded on the resolution.

Mr. Hertzberg:

I have a question for Councilman Ricciardi because my recollection on the County end of this and that is what we are talking about, trying to make the County and City the same, which I would support. But I am not certain that the County has a program right now. Because my recollection of what happened was that the County program was invalidated and the reason it was invalidated was because it just applied to the entire County. It was invalidated by court decision.

I don't know if that was appealed and reversed or what the County did is come back and implement a new program and that is the question I have. Other than that, I am very supportive.

Mr. Ricciardi:

That was the Gentrification Program. What we did, Mr. Hertzberg, I am not sure you were on City Council at the time, we had sent our Gentrification Program over to Allegheny County to parallel, they did. We sent it to the School Board they did not. But right now Allegheny County does have a Property Tax Relief Program in '93 because this money is the Rad money, the Regional Asset District.

If you participated in the Regional Asset District, you needed to get 50% of the dollars back in terms of as you know eliminating the property, the personal properties tax, cutting the amusement tax in half and also setting up this relief program on property tax. I have the information right here so they have a program.

Mr. Hertzberg:

They had one. My recollection is because it applied County wide, meaning anyone in Fox Chapel, anyone in Upper St. Clair, anyone anywhere that met some of those requirements would qualify for gentrification. Because it was simply County wide and didn't deal with identifying the geographical area any more specifically, that it didn't comply with the state authorizing legislation, and it was invalidated.

If they haven't come forward with something knew, I don't know that they have a valid program in place or what they're doing that is my question.

Mr. Ricciardi:

Let me back up. We are talking about two different programs here, Mr. President. Mr. Hertzberg is correct. He's talking about the Gentrification Program. I am talking about the Property Tax Relief Program under Act 77 of 1993. So let's make sure we separate the two.

Mr. Hertzberg is absolutely correct regarding the Gentrification Program. I am taking about presently for all taxpayers in Allegheny County obviously which includes the City of Pittsburgh; we have the Property Tax Relief Program.

In order to qualify, there are certain stipulations. There is an age stipulation, there is a primary resident stipulation, there is a resident, how long you have lived in it, and then there is the income level stipulation.

According to this, the income level

stipulation for the City of Pittsburgh is a very generous up to $20,000 of income. Allegheny is limited to $15,000, and the School Board is not participating. So my resolution is asking Allegheny County raise their threshold to $20,000, which will include a lot of other people and which would also ask the School Board to please participate in the program.

MR. ONORATO second for discussion.

Mr. Onorato:

I just want to clarify a point here, Councilman Hertzberg and Councilman Ricciardi are both right in that the Gentrification Act was declared unconstitutional and it was thrown out. However, there is another tax relief sponsored by the money from the Rad.

I have a notice in front of me dated January 2, 1998. So what is that 17 days ago? This is a reassessment notice to a North Side property. On the bottom of the notice there is a little sentence here from the County I think that will answer Councilman Hertzberg's question and explains what Councilman Ricciardi is referring to.

The Board of Commissioners of Allegheny County has enacted an ordinance, Act 77, providing for tax relief for property owners that are 65 years of age or older with an annual income of $15,000 or less and who have owned and occupied their property as the primary resident for at least ten years.

This is 15 days ago. They put this notice out. They do have a program under Act 77 but what is disturbing and with this age of computers, they didn't even bother mentioning the City has a program. So when a City resident, in this case the North Sider gets this, they don't even know they can do it with the City also, that there is a chance that they can get relief here in the City. They should have done that as a minimal.

What is more disturbing, there are two blocks on this notice. This side here is the county assessment; this side is the Local assessment. Let me just read these numbers. County assessment went from on this property $1500 total to $13,400. Here is where it gets really bazaar. The Local assessment went from $6,000 market value to $53,600. That was the jump.

First of all, I don't understand what the difference is here in the assessment between the Local and the County and what's going on here and why the percentages aren't in the same proportion if you are increasing the property. Why the notice didn't go out that there is tax relief in the City of Pittsburgh equivalent to what the County is offering so they can get tax relief twice.

I think it is important that Councilman Ricciardi's resolution gets passed and this information does not go out which again is misinformation and I know all of our offices have been swarmed. I would hope that this gets clarified soon and that we send the message loud and clear.

Mr. Ricciardi:

The reason there is different boxes and Mr. Onorato is correct, is because if someone is between say for example 15 and 20, it is going to show a different assessment for Allegheny County, a different assessment for the City of Pittsburgh and then a different one for even the School Board.

So my resolution would not only make it more generous in terms of who can qualify for this program but it is going to get rid of all these different boxes and everyone will be on the same page. But the jest of the resolution is just to make sure that more people qualify for this program.

I still have another problem with assessments tripling. These commissioners have to accept the responsibility of at least explaining to County residents; City of Pittsburgh resident is a County resident, to County residents what is going on.

I sure hope that all constituents and taxpayers, especially the voters of Allegheny County, City of Pittsburgh remember these three commissioners when they pay their triple assessments.

The Chair:

Can I respond to that? I am reading this in front of me. This is the City one with four different square blocks. They are probably very close to the County but as you mentioned there is no mention of that, so it is not under any of our committees. I will go personally to the commissioners this week, see if we can get together. I think we are close, why not be on the same page? It is very confusing to not only us but to all our residents.

Mr. Ferlo:

The last time we had a lengthy discussion about this, it has been at least over a year ago. I thought that the administration made a commitment at the table I think either Treasurer Fees or Director Hennigan that they would coordinate the paper work between the County and the City. I remember Councilman Onorato, Councilman Ricciardi and myself, we all talked about and there were commitments made at the table.

I support the spirit and the content of Mr. Ricciardi's bill or resolution. But I prefer we not act today but have a formal meeting where we can first better understand about what did or did not happen relative to the Act 77, Gentrification Bill.

The discrepancy between the City and the County, the commitments were made to better coordinate the paperwork so an individual taxpayer, be they go into the City or County, there would be one stop shopping kind of a tax bill. I think at that meeting we can invite the School Board Representatives, President Matthews and I guess Mr. Fells or Mr. Fellers, I think his name is from the School Board.

I am hesitant to vote on Councilman Ricciardi's resolution today until we have this meeting and get a better sense of what the commitment is.

Mr. Ricciardi:

Can I just ask?

Mr. Ferlo:

The basic problem with the school board, unlike the City and County, which got Rad money, the School Board didn't get replacement revenue. We got significant replacement revenue in order for us to pay for and implement this program. Obviously, I would like to see the School Board support this. I think it is not going to go anywhere unless we talk about providing some other relief. With the State Treasury sitting on a $8 or $900 million surplus, maybe Mr.

Habay can address his attention to that surplus as far as some municipal tax relief back to our schools and our municipalities.

Mr. Ricciardi:

I am glad you mentioned that, Mr. Ferlo. I also have a letter that I drafted to the Regional Asset Board of Directors because as you probably know according to the media reports, they are sitting on a $19 million surplus. I think the School Board should participate in the program and should receive their fair share as Allegheny County and City of Pittsburgh does through that surplus.

Mr. Ferlo:

If we can make that part of the resolution, I will support the resolution now. I just don't want to leave the School Board hanging.

Mr. Ricciardi:

I will make that part of the resolution. I think the resolution before us with all do respect, is not complicated. The things that you are raising regarding the dynamics should be discussed. But the resolution is just basically saying to Allegheny County raise your threshold from 15 to 20 and let more people participate in the program.

Mr. Ferlo:

As a friendly amendment then, if you could say that we would also support the School Board's request to the Rad under 77 in order to support their participation in this program, I would be all for it.

Mr. Ricciardi:

Great. Taken on, Mr. President, that that is part of the resolution, Linda and John, thank you.

The Chair:

Linda has that.

Mr. Cohen:

For people who are watching this, I think it is important to reiterate the fact that the City does not have any authority over assessments. It's the County that does. I think if this discussion makes it quite clear that the County Assessment System is a total mess. It is inequitable, it is irresponsible, and it leaves taxpayers ill informed.

It seems to me that the purpose of government is to make intelligent and fair decisions and try to communicate those decisions to the taxpayers. When it comes to property tax assessments the County has done neither of those things.

Back when Commissioners Cranmer and Dunn were talking to each other, they decided to cut property taxes and freeze assessments. What they didn't do, was think of what the ramifications of those actions would be. What the ramifications have been is that number one they blew a huge whole in the County budget. Number two, they spread chaos in the neighborhoods when it comes to property taxes. That's what the result has been and that's why we are getting calls from many of our constituents saying what's going on here.

I absolutely support Councilman Ricciardi's motion because at the very least communicate some decisions, some action to the taxpayers. Right now it looks like

there is chaos at the County Court House when it comes to property taxes. I support it for that reason.

The Chair:

Again from the phone calls I have been getting from our constituents, there is chaos. It is unfair to those residents who are getting tripled tax relief. This resolution, whatever happens, we have to start working with the County. It is on their shoulders to explain this and be much more fair not only financially, but to explain what is going on to the residents.

Mr. Udin:

I am in support of the general concern both of the Ricciardi resolution and the Ferlo amendment. But I want to raise a procedural question and caution us against the precedent of going against what we said we weren't going to do in the last session. That is coming up with resolutions that are not written, that are not distributed before hand to give us an opportunity to examine the issues on such an important matter.

It just so happens that I think all of Council is united on the content and the spirit. But I want to urge us to submit resolutions in writing.

Mr. Ricciardi:

Obviously, Mr. Udin has a very good point. I did not have time to do it. But I am still asking for a vote. If it passes, Mr. O'Connor, I am asking if you can personally be the point person in the communication with the commissioners, the School Board and also bring Mayor Tom Murphy on board on this. Just don't put this in the mail if you could walk this acrossed the street for us I would appreciate it?

The Chair:

I will go along with that along with Mr. Udin. Let's put it in writing today. I will work with you, we will show it to the Mayor and we will take it to them and try to work it out. As he said, let's make sure the wording is correct. We can pass the resolution today, but let's make sure.

We have a resolution and a second. All those in favor?

Which motion prevailed.

Mr. Ricciardi:

Thank you colleagues.

The Chair:

Any other discussion? Hearing none, can I have approval of the minutes?

MS. MCDONALD moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MS. MCDONALD seconded the motion.

And with the motion made by Mr. Hertzberg, the meeting was adjourned.

MUNICIPAL RECORD

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ONE-HUNDRED
THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, January 27, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

We all please stand for the pledge of allegiance and a moment of silent prayer for peace and hope throughout the world.

This morning we are lucky to have my nephew, Shani Pelled, pinch-hitting. He's Youth and Teen Director at the JCC and a Pitt student. Please lead us in the Pledge of Allegiance.

Mr. Pelled:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible with Liberty and justice for all.

The Chair:

We are fortunate to have many honored guests in the audience today.

PRESENTATIONS

Mr. Ferlo:

Councilwoman Valerie McDonald is here co-sponsoring this special recognition of a community leader and good friend Alma Speed Fox. If I could have her please come forward, as well we have a number of representatives here from the State, and the City Human Relations Commission. If you could come up, we would like all the Board Members to come forward also for a group photo and the representatives from the State and the Region. Mr. Grice is here for the Steelworker resolution. But he's a long time friend and supporter also, even though he threw me out of a meeting once and that was 30 years ago.

I am going to read the resolution and ask my colleague Councilwoman Valerie McDonald who has had the privilege -- We have the real Chief of Police the father and mom of our Chief McNeilly and we have other family members. We have also this morning Mr. Eugene Nelson. We have Eugene Nelson here today, he is the Area Director for the Pittsburgh Area office of the EEOC and Mr. George Simmons, who many

of you are aware is the Regional Director of the Pennsylvania Human Relations Commission.

Our City of Pittsburgh and our framers of the charter can be proud that we boast probably a Commission the same age if not older than the Pennsylvania State HRC. Harry Kunselman, who is an attorney who many of you know, is a volunteer. He is the current Chairperson of the Board of the Pittsburgh Human Relations Commission.

I would like to read the following resolution and ask Mr. Nelson, Mr. Simmons and Harry to say a few words and following this reading I would like to ask first Councilwoman Valerie McDonald.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 59 WHEREAS, Alma Speed Fox has volunteered her time, wisdom, and tireless energy to the Commission on Human Relations for 25 years; and

WHEREAS, Alma Speed Fox has served in many capacities in her role of Commissioner, including chair of the Commission; and

WHEREAS, Alma Speed Fox has dedicated most of her life to the struggle for human and civil rights and improvements in the quality of life for the citizens of Pittsburgh; and

WHEREAS, Alma Speed Fox, for more than 30 years, has volunteered her time, wisdom, and energy to the NAACP as a board member, executive director, vice president, executive committee member and coordinator of the annual holiday food drives for the NAACP and Freedom Unlimited, while at the same time, being a devoted wife, mother, and grandmother; and

WHEREAS, Alma Speed Fox is the retired Equal Employment Opportunity Manager of the U.S. Bureau of Mines; and

WHEREAS, Alma Speed Fox has served as an officer and regional representative for the National Organization for Women; and

WHEREAS, Alma Speed Fox has served as co-chair of the Governor's Commission on the Status of Women and co-chair of the Allegheny County Women's Political Caucus; and

WHEREAS, Alma Speed Fox epitomizes the spirit of volunteerism and serves as a fine example to all Pittsburghers who care about the community;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby applaud Alma Speed Fox for her meritorious service to the Pittsburgh community;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Tuesday, January 27, 1998 as "Alma Speed Fox Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

She said she never thought it would happen.

Before we get Alma up here, I know all our colleagues are joining in co-sponsoring of this worthy recognition. I am going to be very brief. We have a number of guests here today. Some of Alma's peer group colleagues. I want to thank Alma for many years recognizing her contribution. I probably met Alma I don't know maybe the anti war movements of the 60's. Then you go back to the 50's early civil rights days and the women's movement of the 70's and 80's and even pro-labor and pro-people. That's what it is all about.

I think your peers especially on the Commission thought it was appropriate and obviously we all joined in the appropriateness to give you some recognition. We know about a lot of trailblazers through history.

I think it's often times important that we just take time once in a while to recognize that we have some true Pittsburgh trailblazers and they are right in our midst working every day, out in the fields. It is a great honor and privilege to help present this proclamation and give Alma some recognition.

I would like to call on Councilwoman Valerie McDonald and then if we could have a brief comment from Mr. Eugene Nelson, George Simmons and Harry Kunselman also to share some words.

Last but not least, we will bring Alma up here and have her say a few words and we will formally give you our new and improved Pittsburgh black and gold proclamation. We want you to have that. At this time if we could have Councilwoman Valerie McDonald.

Ms. McDonald:

I am not going to say very much.

You know what, I did not have the distinction as Councilman Ferlo has of knowing this lady for so long. I heard about Ms. Fox in the 70's when I was a student at Pitt.

Of course you know during that time that was the peace movement. We were right after the guys came home from Vietnam War but I heard about her. I finely got to meet her in the early 80's. I could not believe this is the lady that is such a powerhouse as far as civil rights. She seems so unassuming, very personable, she gets her point acrossed, she gets physical on you, she would smack you, touch you, point like that and I thought she was such a nice lady.

When I heard about all the things she has been through in terms of promoting Civil rights, fighting for civil rights, those that are the under dogs, those that don't have a voice, those that do have a voice but no one is listening. I became more and more impressed with her as a person.

So, Ms. Fox, I was very proud of you; I know your family. I am very proud of what you have done. I think the presence of so many individuals here that came out just for you, speaks for itself. So without further ado.

Mr. Nelson:

I am Eugene Nelson, the Director of United States Equal Employment Opportunity Commission in the Pittsburgh office.

First of all on behalf of our Commission we would like to both congratulate Alma Fox and commend her for many years of service. Our EOC works cooperatively with the Pittsburgh Commission, funding the Commission but more importantly working closely with the Commission. In that respect we have been working with Alma Fox over many years. But my first remembrances of Alma were many years ago when she was in charge of the recruiting for the NAACP. I was a recruiter so I was reporting to Alma in my recruiting activities for the NAACP.

I hope she continues with what she has been doing. I think she will. It seems like she's been involved in civil rights since she was in the first grade. I think we have all benefited from her dedication to eliminating discrimination and prejudice in our society.

Mr. Simmons:

Thank you. My name is George Simmons. I am the Regional Director of the Pennsylvania Human Relations Commission, the Pittsburgh Regional Office. I have the fond memory of saying when I sought the job at the Pennsylvania Human Relations Commission; the first committee of the NAACP was Chaired by Alma to review whether or not I was worthy. I hope I was worthy.

On behalf of our Chairperson Robert Johnson Smith and Vice Chairperson Raquel Otero de Yiengst, and all of our 11 commissioners, Homer C. Floyd the Executive Director, and myself, I would like to say:

Whereas, Alma Fox has been a supporter and a friend of the Pennsylvania Human Relations Commission for many decades.

Whereas, Alma Speed Fox was appointed in April 1972 by then Mayor Pete Flaherty to serve a four-year term with the Pittsburgh Commission on Human Relations;

Whereas, Alma Speed Fox has been re-appointed by every Pittsburgh Mayor since;

Whereas, her 25 years of volunteer service to the Commission is unparalleled and establishes a legacy of commitment and dedication to improving civil rights to the City of Pittsburgh and the Commonwealth of Pennsylvania;

Whereas, her foresight recognizes that there still remains much civil rights to be done as the City of Pittsburgh and the Commonwealth of Pennsylvania prepares to face the next millennium;

Whereas, she also has served with distinction through her work with organizations such as the NAACP, NOW, Governor's Commission on the status of Women, the Allegheny County Women's Political Caucus, Freedom Unlimited and the Council of Black Federal Employees;

Whereas, Alma Speed Fox maintains a commitment to civil rights and equality that has set a standard for others to follow;

Therefore Be It Resolved, that the Pennsylvania Human Relations Commission congratulates Alma Speed Fox for her 25 years of dedicated and caring services;

And Be It Further Resolved, that the Pennsylvania Human Relations Commission

recognizes and appreciates the positive impact in civil rights that Alma Speed Fox has made for the City of Pittsburgh, the Commonwealth of Pennsylvania and its citizens.

Thank you very much.

Mr. Kunselman:

Thank you. My name is Harry Kunselman. I am the current Chair of the City of Pittsburgh Human Relations Commission. It is amazing to me to think that I was just nine years old when Alma Speed Fox joined the City of Pittsburgh Commission on Human Relations. I can remember as I grew up watching various events occurring throughout our country and region and our community. I have always admired those who have fought the difficult fights and the difficult struggles for civil rights and civil liberty's.

I had the pleasure in December to present to Ms. Fox on behalf of the Commission a plaque by which we honored her for her 25 years of service. This plaque has Mrs. Fox's name spelled vertically. I would like to read to you the various adjectives that have been associated with each of the letters of her name.

A is for accomplished.
L is for loyal.
M is for motivated.
A is for activist.

S for spirited.
P principle.
E energetic
E effective.
D dedicated.
F friend to the community.
O our Chair Emeritus.

X for extraordinary.

We honor and celebrate 25 years of your continuous volunteer service to the Pittsburgh Commission on Human Relations with our sincere thanks. Staff and Commissioners, December 1, 1997.

Congratulations, Ms. Fox. May we carry your torch well into the next century.

Mr. Ferlo:

Without further ado, Alma Speed Fox.

Ms. Fox:

Well I tell you one thing, I ran for City Council once, I was all star ran, so probably had I won, I may have been standing here today. So, here I am today.

I thank you. I really stand here with great humility as I listened to George, Eugene, Valerie, Ferlo and Kunselman. As I look here and I see so many people that I have worked with over the years for many years and of course I have members of my family. All of them could not come. Fortunately they have jobs and it is not so easy to leave work today as it was once was especially if you are not working in the immediate vicinity.

I would like to show my son and my daughter-in-law who are two of Pittsburgh's finest and my youngest daughter Muriel who is about to add another grandchild to my family.

I would also like to say that I am a graduate of the Police Citizens Academy. I was in the second class. I have the alumni President here today, Robert McNeilly,

senior, and his wife, Mrs. McNeilly. That's quite an honor too to be a graduate of the Citizens Police Academy. It is one of the better things that has happened in the City of Pittsburgh since I have been here. It is truly something that all of you should take advantage of. It will be the best spent 12 weeks that you have ever used.

So as I look around with great humility and look at my NAACP family, my Commission family, and people here whom I have worked with in other organizations, I say again with great humility I stand here. I am very very grateful to be honored, to have been aloud to serve the people of Pittsburgh as a member of the Commission of Human Relations for 25 years.

During that time I have been fortunate to work with some wonderful people as I said. Commissioners have been and continue to be hard working, dedicated individuals who consistently prove their dedication and love for the City of Pittsburgh. I cannot imagine a more dedicated group of employees than the staff.

Words are inadequate to express the admiration I have for the present staff on the commission on Human Relations. During the time that I have been with the CHR there have been five directors, none of whom have given more or brought more to the Commission than our present Director Charles Morrison.

There have been many appointments to the Commission during my time. I was appointed by Pete Flaherty and then there was Dick Caliguiri and Sophie Masloff and Tom Murphy. I have been asked how did I manage to survive? I have asked myself the same question often and now I think I have the answer. I believe in angels, I also believe I have several who watch over me. I believe that one of my angels is a great woman who was instrumental in founding the Human Relations; her name was Florence Reisenstein.

She served as a Commissioner for many years. No doubt there are many of you here today that remember Florence Reisenstein as the great humanitarian she was. Florence and I worked together in the civil rights area many years ago. She was a board member of the National Association for the Advancement of Color People, NAACP, the Local Branch.

Florence was a victim of a tragic accident. I was the first appointment to the Commission following her death. When Florence Reisenstein spoke, people listened and people jumped.

So I believe that when it was time for a Mayor to consider appointments to the Commission that my angel Florence Reisenstein tapped him or her on the shoulder and said don't forget Alma.

It had to be something like that. Because believe you me, every Mayor and I mean every Mayor that I have mentioned has really been upset with me from time to time. Each Mayor may have taken the first step in making the appointment. But appointment had to be ratified by City Council. So you the present members of City Council as well as those preceded you had the final say.

My hat is off to this City Council, because in the 25 years I have been a Commissioner I have not seen a Council more knowledgeable, more knowledgeable, of the Commission. Each of you has shown genuine interest in the Commission. Attitudes towards the Commission have

changed to be more positive attitudes because of the questions that you asked and the information you received. For that, I am grateful.

I always felt that Dan Cohen, Valerie McDonald, Sala Udin and Jim Ferlo were friends. I had doubts about Alan Hertzberg even though I worked very closely with his father at the Bureau of Mines and worked with his mother in NOW, but Alan came through as a strong advocate last year.

President O'Connor, Mr. Onorato and Mr. Ricciardi, I don't believe you are as strong about the Commission as I would like you to be, but I am truly grateful for the questions you asked and for the information you received.

Mr. Diven, that is the correct pronunciation? Please become informed about the Commission. I am certain you will become a strong ally.

In 25 years I have seen changes, 25 years ago I would not have thought that Jimmy Ferlo or Sala Udin would sit on this City Council or any other City Council for that matter. It couldn't have been much more than 25 years ago that Sala Udin and Jim Ferlo were both community activists speaking out loud and clear against the establishment.

Sala was wearing a dashiki and raising his fists in the air. Ferlo was wearing an Afro style hairdo and in those days I don't believe Ferlo even owned a suit. Today they're appearances as well as their tone has changed. I am happy to say however that there civil rights advocacy has not.

Being on the Commission has been a real challenge. The staff and Commissioners have met that challenge and have brought about change to benefit those in need. We all know that challenging what is in order to affect change in the system is often without reward.

I read something somewhere the other day and I liked it. So I quote, "people who are crazy enough to try to change the world are the ones who do." So I would like to go down in history as one of those crazy people.

I thank you all.

Mr. Cohen:

Alma, I hesitate to say anything after the eloquence of that speech but I think other Council members should be given the opportunity just to say a word or two.

I wanted to very briefly thank you for your tremendous service to the City of Pittsburgh. Your leadership has been inspirational. You have provided me with advice on occasion. What I would ask everybody to do is continue to seek Alma Speed Fox's advice because it is good advice and there are very few people that are able to combine idealism with pragmatism, liberalism with strength in a way that you have, Alma. I just want to put my two cents in and congratulate you on 25 great years.

Mr. Udin:

Thank you. First of all I won't go through the litany of Alma's civil rights everybody knows what that is. I just want to take a personal privilege. One to thank Alma's family. Often times when we celebrate the achievements of giants like Alma Speed Fox, we overlook sometimes the tremendous contribution that families make in making that person available to the

movements. There are many, many, many, many, many nights when I am sure her family would have preferred her to be home, but she was out doing the work of the community and that's a contribution that her family made. I thank her family for that contribution.

Secondly, I want to say on a personal note that when I first decided to attempt to run for City Council, there were, I believe, 11 candidates who also woke up that morning and decided that they would make good City Council members for the Sixth Council District. Alma selected out of that group myself to support. It was not until I got your support, Alma, that I genuinely thought I had a chance to win.

I never told anybody that I never thought I would win. But it was your support because of the years of service and dedication that you have given to this community that made me know that I must have been on the right track if Alma Speed Fox said yes Sala you should do it and you have my support.

So I am largely here because of you. I hope I do honor to your trust and confidence. Thank you.

The Chair:

Alma, I want to thank you and the Commission. I may be a slow learner but we worked very closely with a school issue and a neighborhood issue last year and the Commission was very very helpful to our community. I think someone in Cleveland sent us a guardian angel in 1949.

Mr. Ferlo:

Keeping up the good fight as Alma would do on another issue and another front, that is the Labor front and the lives and security of so many working families. We have a delegation here from the United Steelworkers Local 1843 and International representative Brother DeFazio. If Mr. DeFazio and Vince and Pat Carnavele and Mr. Kotuba could come forward please.

Obviously this important employment engine is located in Councilman O'Connor's District. Last week the Steel Workers had a strategy meeting that was during the same time as our Standing Committee Meeting. Paul Girdany from my office attended. I am offering the resolution on behalf of myself and Councilman O'Connor. But given Council's visibility on this issue, I am sure that this resolution actually is on behalf of all of our colleagues who at one time or another have spoken very eloquently about the need to keep this plant working and being productive here in the City of Pittsburgh.

On behalf of Councilman O'Connor and myself and I believe all colleagues we would like to offer the following resolution at this time.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 60 WHEREAS, LTV Steel Corp. and its predecessor Jones & Laughlin Steel have operated steel making facilities in the City of Pittsburgh for nearly a century, utilizing labor, fuel, and other resources from our region; and

WHEREAS, LTV has decided to discontinue operating its last remaining Pittsburgh facility, the Hazelwood Coke Plant, which could result in the loss of nearly 1,000 local jobs; and

WHEREAS, members of this Council have joined with the United Steelworkers of America and other area political leaders from federal, state, county and local government in an effort to maintain these industrial jobs for local residents, whether under the management of LTV or another company; and

WHEREAS, an independent arbitrator ruled that LTV must continue to operate its Hazelwood facility pending action by the Environmental Protection Agency on a proposal LTV is required to submit to it; and

WHEREAS, as the result of the independent arbitrator's ruling, the plant is being kept open past LTV's projected closing date, but LTV submitted the environmental proposal to the EPA without proper consultation and input from workers in the plant and the USWA; and

WHEREAS, according to USWA Local 1843, which represents the workers at LTV's Hazelwood Coke Plant, LTV is failing to perform necessary maintenance tasks at the plant, thus making the job of finding a buyer for the facility more difficult.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH hereby calls upon LTV Corp. to work with the United Steelworkers on its environmental compliance plan for the EPA to insure that the plan incorporates the needs of not only the company, but also the needs of the workers and community residents; and

BE IT FURTHER RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH hereby urges LTV Corp. to maintain the Hazelwood Facility to the best of its ability to assist in the effort to find a buyer for the plant.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I think the resolution speaks for itself, obviously it is a tactical resolutions at this time to show united political support on behalf of the administration and this Council about where we are at right now.

We are pleased that John DeFazio is here from the international, Vince Mackewich who is President of the USWA Local 1843 is here, Pat Carnavele. Some of you see him on TV. He's the guy who pretty much took to the airways consistently right from the beginning. I know I saw him out in the hallway many of times. He's a grievance man down at the Local 1843 and Charles Kotuba is here who is a Union committeeman at the plant.

There are a couple other gentlemen, I don't have the benefit of their names. I assume they are with the union whole heartedly in favor of keeping this plant and Mr. Grice for many years and national representative steelworkers and very active in many years for many community fronts. That is how I had the pleasure of working with him.

I would like to ask Councilman O'Connor to say a few words but I think it is very important that we join together. As I have stated in the past and I know it always

comes up, I listen to the early morning shows and issues come up frequently and either the Congress or the company someone always wants to pit environmentally clean air and clean standards. They always seem to want to pit that against the ability of a company to operate or the ability of a Union and work force to maintain a productive livelihood.

We have the technology to make the contradiction not exist. It does not have to be a contradiction in clean air and the ability to run a productive plant with good paying jobs, health care benefits. That makes a contribution to the economic base of the City and the region.

The issue is that you have to use the technology and use the resources that we have at our disposal. There is a way to do that at the LTV Plant. Maybe that the company presently is not the company to run it in the future, it maybe that. But we should not give up on this plant and we should not close the plant because we have met with the challenge to meet environmental standards. We in the community want to have good Union paying jobs and we want environmentally quality companies running an operation manufacturing. We don't see a contradiction.

We think the money and profits are there, but we need to pull together as a community. I would pray and hope that as much political energy from the White House to the State Senators, US Senators to the Congressional Delegation, to the Commissioner level, and the Mayor's level, that as much attention is given to keeping this plant as keeping the Steelers or their preoccupation with keeping the Pirates.

We want the Steelers. We want the Pirates. We want the Penguins. I don't know about Allegheny Power Dome, but we want the Penguins. We also want good paying Union jobs and we want to maintain a manufacturing base here in the City of Pittsburgh. Let's put our arms together and bring that reality to play.

At this time I would like to ask Councilman O'Connor to please add his words, he's been very active right from the beginning and then ask Brother DeFazio and the others.

Mr. DeFazio:

Okay first of all I would like to thank City Council, but I want to bring you up to date a little bit. We won a decision January 13. A lot of people counted us out we didn't have a prayer. We told everyone we had an agreement. That's the reason why we won the part that we won about keeping the plant open.

A big important part of this thing is we want to keep that place clean also. Some people have the misconception; we want to keep the plant not so clean that is not true. We have our people working in there. We also have residents who work in the mill who are residents in that area. We do want to keep it clean.

In this arbitrator's decision, the arbitrator wants LTV to come into compliance. We wanted to be part of this with LTV. We knew what would happen and LTV is putting out what they can do which is not strong enough. We want them to do more to clean the air up there. They don't want us part of that. We want to be part of that because we know they're going to go as weak as they can so the EPA will turn it down and so they can close the plants.

Now the company is saying we don't have to put $4 and $500 million into the plant. We agree with that. We said that from day one. It doesn't need that kind of money. It does need money and they do have to put money into it according to the decision.

We said from day one, we know you don't have to put no $400 or $500 million, we know that. They are putting out bad propaganda. Also, there are some interested buyers in the plant, but the company seems to be pouring a little bit of cool water on that. I think they are misleading some people. I have talked with a person who doesn't want to have his name known, but he told me some of the things. I was surprised. I told him that's not true.

The idea here is we want to keep the plant running, we want the air clean down there. We have people working in that area and we also have residents in that area, even if they weren't working in that plant we are worried about the residents. Look, the Steelworkers were number one in safety and cleaning up the air on all these sites. We don't like this idea of LTV and other people getting -- misleading people in the papers. That's not true.

Once again, I want to thank everybody for passing this resolution and I just want the truth to get out to the public, which we will make sure it does.

Thank you.

Mr. Grice:

My name is John Grice, ex-representative of the United Steelworkers Local 1843, ex-inspector for Pollution Commission at J and L.

I want to echo what John DeFazio said in regards to operating the plant, in regards to the health and welfare of the people not only in the plant there but in the surrounding areas of that particular location. I too agree with John DeFazio that it does not require $400 or $500 million to bring the plant into compliance.

I also want to say that John didn't say I believe from what I see. I can sit in my den in my home. I live in Schenley Heights on a high hill. I can look down on the Coke Plant and I can tell when the company is following the rules and regulations that is set by the standards in order that they may operate in a condition that would be fit for human habitation. This is not taken place and in particular in the evening shift. In the day shift they pretend they are complying.

Allow me to say this, J and L, LTV, is the last hope in the City of Pittsburgh for an individual to be employed with a decent wage. I want to repeat that. There is about 750 or more employees that work at LTV that are making a decent wage. There isn't another plant or place that I know about and I know quite about my employment here in the City of Pittsburgh, that will offer the kind of employment that LTV is offering through the Coke Works.

In conclusion I want to say this, I commend this Union for the giant step it has taken to go all out, to bring in experts, lawyers, and what have you in order that they can survive in keeping the plant open. I hope those of you here in the City of Pittsburgh will continue to use your power, your influence in order that the -- what we are talking about will be a living reality.

Thank you.

The Chair:

I want to echo what was said. But we talk about economic development and all the things everyone in this region is doing to bring jobs here. We cannot afford to lose 750 jobs that are just there and that is not counting the hundreds of jobs that are committed in support jobs that are there.

I must tell you publicly we had a meeting with the Governors Office, the three Senators, the Mayor's office, City Council, the State Representatives, and business leaders. I never saw a more combined effort to stick behind you and the Steelworkers with the company. We made it very clear. In fact, the Governor when I spoke to him gave me $400 million of Philadelphia naval yard, which again we're supporting the idea and the jobs. What are you going to do for Pittsburgh? We need that kind of initiative. We have been promised that. But what we need is the support to keep the support going. Also, we have to be careful that LTV continues. We are urging them to continue in good faith because they were down ten years ago they were almost going out of business.

These gentlemen took pay cuts, concessions, to keep that company going. Now it is a rising star opening new plants. They have to buy Coke somewhere. We can produce it here, we can produce it better quality than overseas. I just urge them not to try to drive a wedge between this environmental issue, unless they do it wrong they could create an environmental issue. Otherwise, there shouldn't be an environmental issue.

Everyone is clear that we want a clean City and it is a much cleaner City. We have to keep working with them and you, John, and your crew. I know I met with Secretary Gerard just last week. Everyone is totally supporting you. It's up to LTV to really show good faith and continue the process and not try to draw this wedge between us.

Mr. Ferlo:

I want to amplify a couple of things. As Council President O'Connor stated, I have a message both to Governor Ridge and Ivan Itkin who is a democratic gubernatorial hopeful. This plant is as Councilman O'Connor stated, this plant is our Philadelphia shipyard. We want to know what the level of commitment and support is going to be. I would like to hear that both from Governor Ridge who has given some indication and also Mr. Itkin quite frankly.

But the fact of the matter is and we use the recent RRI, Regional Renaissance Initiative, when it comes to the discussion of community debate about this plant, where are the other individuals? Where is the academic community not only the conservative Allegheny institute but the Duquesne University, Pitt, and CMU?

When we are talking about the Pirates they trip over themselves to talk about economic impact statements and studies and how important they are to the economy, where is the corresponding study and report that talks about the economic development and multiplying effect of families to jobs?

You know Pitt's first to talk about the income standards and the powertization of the City and what it means in terms of social impact. Where is the equal study that talks about when you have a decent family, a

decent paying job for a family that you have less of the problems associated with despair and unemployment and chronic unemployment?

I mean the University community needs to come out now and talk about the benefits of this manufacturing company not only to the economy but to the social and quality of life for working people in the City of Pittsburgh.

I haven't yet seen that or heard that. I hear it a lot of times that we have the Pirates going under or the Steelers. I would like to see the same level of social consciousness and commitment from that community now. Where is the Chamber of Commerce? For two months I had to watch the Chamber of Commerce ads about the RRI vote and the need to keep the stadium and the Pirates, which is great. Where are their ads now out in the community calling on the political leadership to come forward to help build a plan to keep this plant running and operational? It is not there and it needs to be there.

Part of the resolution today is the advocacy that is needed and the call to these other sectors of the community to come forward and not make this something that is just a struggle of the rank and file and the Union of the 1843 and the International. This is a community wide struggle and battle that we all need to join forces around. Everybody needs to come forward and be apart of providing a solution.

So that challenge is out there and I think this resolution calls upon the community to be creative. We haven't even yet talked about, I know the Steelworkers, have spoken about the payroll there and certainly that's their first priority as Union representatives.

The multiplying effect of that payroll and everything from the checking accounts at the local banks to the ability to go down to the Giant Eagle supermarket, you name it the ability to pay for kids college education. Let's talk about that economic impact and that multiplying effect in Pittsburgh and the region and then maybe we will get our priorities straight.

Mr. Onorato:

I would like to add too to what Councilman Ferlo just said. I agree with him, but I also want to point out that the frustrating point for me being elected official is also the balancing act out of the Federal Government and the State Government when it comes to environmental protection laws. You hear these laws come up in a vacuum and they sound great and you feel good about them.

But the last half of the century in this country we were spending money to rebuild Europe and Japan and putting up more road blocks in America for our companies here with all these environmental protection laws. The balance just wasn't there. We set up a system, no wonder why these plants are closing.

I am sure you can go up and down the Mon Valley and ask all the residents down there, do you really like all the clean air you have and how great it is? Ask them, would you rather have all that clean air, 100% clean air and no pay check? I guarantee you the answer would be a lot different.

I do want to applaud Congressman Doyle and Klink who fought recently against

the amendments to the Federal Environmental Protection Laws that were just going to outright shut this plant down if those amendments went through. They were democratic congressmen. It was about time that some of the democratic leadership in this region stand up and say hey wait a second we believe in clean air, but there is a fine balancing act here.

I like the trails up and down the river also. I like to see the shining buildings that sit now on Second Avenue. But I don't know if that was worth the price we paid over the last twenty years that left here, and the payrolls that left.

In addition to the payrolls, this plant alone if it would close, the Pittsburgh Water and Sewer Authority would take a major hit in the revenue line item. There is one example. The City of Pittsburgh would take a major hit in the real estate taxes; the School Board would take a major hit in real estate taxes. There are so many spin offs if this place closes that the society and the social programs would have to pick up, which can't handle what they have currently and no one seems to talk about that. You have people out there arguing about this theoretical clean air argument where they don't want to talk about the balance.

The City of Pittsburgh has better air than it had probably in the last 100 years, but that doesn't mean you get 100% of clean air and shut down all manufacturing. We need these jobs. We need a fair balance. I think the elected officials both the State and Federal level better wake up to that fact.

I want people working and I understand with manufacturing that you have to have something let out into the area. That doesn't mean they can be irresponsible. I do blame the management and the ownership of LTV a little bit. There is enough blame to go around here too. We can't close our eyes of what has been coming out of the Federal Government over the last 30 years with some of, I believe, these outrageous regulations that went too far to protect clean air at the expense of working class people.

The Chair:

One quick word. I think we can have both if LTV the company just follows what they have been doing and do better. You mentioned water, I think the City's water bill will loose over $100 million in water a lone. I would like to name the Senators I just read in the paper State Senators who voted not to keep using American Steel in the new court house remodeling. I think we all ought to know who supports America Steelworkers and who doesn't.

MS. MCDONALD PRESENTS:

No. 61 WHEREAS, Youthbuild Pittsburgh, Inc. is a vehicle which positively impacts the lives of our youth by empowering them through the development of technical, academic, leadership and life skills resulting in self sufficiency and personal growth; and

WHEREAS, this year the trainees of Youthbuild Pittsburgh, Inc. have completed the restoration of three homes located at 7920 Tioga Street, 7212 Race Street in Homewood-Brushton and 802 Franklin Avenue in Wilkinsburg; and

WHEREAS, the abandoned houses were made available to Youthbuild Pittsburgh, Inc. through the collaboration of the Urban Redevelopment Authority, Mellon

Bank, Turner Construction and The Economic Development Group East. Housing and Urban Development and Americorps sponsored the trainee members who participated in this worthwhile project; and

WHEREAS, a graduation ceremony will be held at 12:00 noon on Saturday, January 24, 1998 at the Greater Pittsburgh Coliseum; and

WHEREAS, Youthbuild Pittsburgh, Inc. is in its sixth year of conducting trainee classes. This fifth year's class of 1998 includes the following members: Robert Baker, Frank Battles, Issac Butler, Fred Cade, Jason Chatman, Michael Copeland, Ina Dansby, Kenneth Dent, Fred Ellis, Louise Hammond, Anene Jones, Salaam Aamina, Plashette Scarbrough, Jayvan Tarver, Raymond Venson, Marvin Williams, Bey Apollo, Anthony Culmer, Lamont Grimes, Juan Harris, Kenneth Hudson, Raymer Jones, Ramon Morris, Hasan Reed, Kemeall Scott, and Darrell Williams; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh encourages the support from the city and community so that Youthbuild Pittsburgh, Inc. can continue its endeavors.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Ronald Bowes from the Diocese of the City of Pittsburgh.

Colleagues we do this every year here. We do not have the children this year however, they will be coming in on a different date for some different activities. Ron, what is your title now with the Diocese?

Mr. Bowes:

Assistant Superintendent.

Mr. Onorato:

It gives me great pleasure to read this because especially now it is becoming more relevant where the Diocese particularly in the City of Pittsburgh are going through some major reorganizations and consolidations.

The key issue for me and I have talked to the Bishop there, is that Catholic School education has an option to remain in the City of Pittsburgh. We have to recognize that the demographics have changed and the numbers have changed. I just want to make sure that it is very apparent that the Diocese is committed to keeping Catholic education as an option within the City of Pittsburgh, albeit in a different form but hopefully the changes are going to make healthier schools and stronger schools for the next century.

MR. ONORATO PRESENTS:

No. 62 WHEREAS, Sunday, January 25, 1998 through Saturday, January 31, 1998 is the celebration of Catholic Schools Week; and

WHEREAS, the Catholic Schools of the Diocese of Pittsburgh have served Western Pennsylvania since 1828; and

WHEREAS, there are 123 schools serving the six-county Diocese of Pittsburgh, comprised of 37,000 students and more than 2,000 teachers; and

WHEREAS, the students of the Catholic Elementary Schools of Pittsburgh score approximately two full years above the national averages in reading and math by the eighth grade; and

WHEREAS, in the past ten years, Catholic High Schools of Pittsburgh have produced 115 National Merit semi-finalists and 107 National Merit finalists. Additionally, these schools graduate more than 99 percent of its seniors and sends 95 percent of its graduates on for further education; and

WHEREAS, the Catholic Schools of Pittsburgh offer a broad program of service activities and community involvement. They also offer extracurricular programs of sports, clubs, and activities which are supported by parent involvement and volunteer assistance; and

WHEREAS, Catholic Schools, in addition to academics, instructs students and families about God, faith and religion. They teach our young people to take responsibility for growing, learning, and for the welfare of others;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the students, parents, faculty, clergy, administrators, and all those individuals responsible for making the Catholic Schools of the Diocese of Pittsburgh a success!

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Bowes:

Mr. President, Councilman Onorato, and all the other Councilman and Councilpersons, I would like to first of all thank everybody for joining in the celebration of Catholic Schools Week. This is a National celebration. A lot of people don't realize that we have three million students throughout the United States in Catholic Schools. Catholic Schools are the second largest school system in the United States and in Pennsylvania, it's the second.

Here in Pittsburgh our Catholic School System is the fourth largest in the state. As the resolution said, we serve 37,000 students, we have over 2,000 teachers and we are very proud of what we have done. If you look around even in the City of Pittsburgh it is amazing from one side of the spectrum to the other. We have graduated--our Mayor as you know is a graduate of Catholic education. A few down here at the desk and many of the -- as a matter of fact I am always amazed at how many State Representatives, both democrats and republicans, are graduates of Catholic education.

We are very proud of the product. We obviously stress academic excellence and faith development. We believe in the holistic education of the person, just recently, the last presentation for Mrs. Fox, Alma Fox, was a wonderful presentation. It reminded me of the fact that in our Diocese we have spent the last three years working very strongly on teaching our children about the evil of racism. We have made this a

concerted effort.

It also, I think, it is very important to recognize the fact that Catholic education also serves the poor and disadvantaged extremely well. As a matter of fact study after study concludes whether it is a conservative think tank or a liberal think tank or a moderate think tank, I could name them all believe me. But what they show is when you take a child from a disorderly environment and put them into the kind of environment that is in a Catholic School where we stress discipline, we stress a nurturing environment where every child is considered to be a child of God.

It is very important for the professionals in that school that they do a good job. They feel it is not only something that they are getting paid for and believe they're not getting paid very much. Most of our poor teachers are practically on the poverty level out of the 2,000. Sometimes it amazes me how they continue to do such an excellent job for such a small amount of reward, financial reward.

We are very proud of them and many of those teachers with master's degrees and more than master's degrees plus 60 credits or so really are a credit to all of us, to our society. Because we feel that they are doing a good job in producing citizens who will serve our community very well, who are not only productive but also moral and productive citizens. We are very proud of that.

We also would like to thank all of those people in our community that have helped us to in fact thrive and to survive. Those people the members of the Pittsburgh community who have contributed to the Bishop's Education Fund over the last couple years to help those parents who cannot afford education. I would hope that many of you would open your minds and your hearts to the concept of parental choice in education and in which every parent would receive some of their tax money in order to attend the school of their choice.

We believe that this form of education, this type of public policy would not only improve and help sustain schools like Catholic Schools in our City's, which have served our City's for over 150 years, but also would act as an impetus to improve all of education through the principles of competition and accountability which we all live and die by.

So once again thank you on behalf of Reverend Chris Stubna who is our Secretary of Education, our Superintendent, Dr. Robert Paserba, the other two staff workers that work, Sister Mary Jo Mutschler who is our Assistant Superintendent for Elementary Schools and Anna Marie Catanzaro who is our assistant superintendent for secondary schools. I wanted to get all their names in case they get a chance to watch this on cable.

Thank you so much for having us here today and for celebrating Catholic Schools Week with us.

Thank you very much.

The Chair:

I know many of us are active in after school programs and I know myself with tutor programs. I am not only very amazed but pleased with the dedication of your teachers and staff of what they do and the extra effort they give the students and the community. We want to thank you very

much for that.

Now moving to presentation of papers.

MR. FERLO PRESENTED:

No. 63 An Ordinance supplementing the Pittsburgh Code, Article III, Organization, Chapter 111, Departments Generally, Section 111.01, Establishment; Rules and Regulations; Organization and Control, to provide for a limitation on the time that a Department may be under the control of an acting director. **(SPONSORED BY MR. FERLO & MR. O'CONNOR).**

No. 64 An Ordinance amending the Pittsburgh Code, Title I, Administrative, Article III, Organization, Chapter 119, Department of Public Works, and Chapter 133, Department of Environmental Services, by re-assigning the powers and duties of environmental services. **(SPONSORED BY MR. FERLO & MR. O'CONNOR).**

No. 65 An Ordinance repealing the Pittsburgh Code, Title I, Administrative, Article III, Organization, Chapter 141, Department of Water, in its entirety. **(SPONSORED BY MR. FERLO & MR. O'CONNOR).**

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 on these bills by providing for consideration of these bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday, as they are some of the changes that colleagues talked about in terms of the Public Safety changes I wanted to make about Council's appointment process.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 66 Resolution providing for a contract or contracts, or the use of existing contracts for the rehabilitation of the Oakland Senior Center Roof, and providing for the payment of the cost thereof, not to exceed $36,230.00, payable from the Senior Citizens Program Trust Fund, Index 254250; Account 500000; Fund 2850; Subclass 150; Organization 520000; Budget Year 1998.

No. 67 Resolution Authorizing the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars ($10,000.00) or less with various performers, instructors, artists and persons with specialized skills in connection with the Department's various recreational and instructional programs.

No. 68 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the "Look-Out Street Park" to "The Huck Fenrich Memorial Park" located in Troy Hill.

Which were read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. ONORATO PRESENTED:

No. 69 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning

District Maps Numbered 17 and 18, by changing from "S" Special, "R1" One-Family Residence and "C1" Neighborhood Retail District to "RP" Residential Planned Unit all that certain property known as the Nine-Mile Run Slag Site and 4538 Browns Hill Road , generally located between Frick Park, Monongahela River, Browns Hill Road, Beechwood Boulevard, the Penn-Lincoln Parkway and Swisshelm Park Community, 14th and 15th Wards.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

No. 70 A Resolution authorizing and directing the Director of Finance and the City's financial adviser to provide certain information to Council prior to the issuance of the $255 million dollar pension bond. **(SPONSORED BY MR. ONORATO).**

Which was read and referred to the Committee on Finance and Budget.

MS. MCDONALD moved to waive Rule 8 on this bill by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 71 Resolution providing for the issuance of various warrants pursuant to the Commonwealth of Pennsylvania, First Party Benefits statute, the sum of which is not to exceed $5,000.00 for payment to various health care providers in settlement of a claim in which a confidential informant was being transported by City of Pittsburgh Police in a marked police cruiser, which was involved in a collision with a third party on June 19, 1997, and where said informant sustained personal injuries.

No. 72 Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for any and all expenses associated with the purchase of computer equipment, software, communications equipment, development of software, professional services, training services, and maintenance in conjunction with the Consent Decree Implementation.

No. 73 Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) for Information Systems Modernization to include upgrades to the City's existing information system infrastructure for the Year 2000 Compliance and completion of the Financial System for the purchase of equipment, communication, hardware, software, training, professional services, and maitnenance.

No. 74 Resolution providing for the Conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 75 Resolution providing for the Conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11,

1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Which were read and referred to the Committee on Finance and Budget.

UNFINISHED BUSINESS

The Chair:

Any unfinished business to bring in front of Council?

Mr. Hertzberg:

I think at the last meeting I asked to reschedule the Post Agenda Meeting on Truancy prevention. At this point I am going to ask that it be canceled. It is scheduled for next Wednesday. I ask that it be canceled at the request of the Mayor's office and Pittsburgh Public Schools. They just feel there are a couple loose ends that they want to tie up, particularly with Pittsburgh Public Schools before the presentation is made to Council.

I have been promised that the presentation will be made within 60 days. As soon as we have everything tied up we will have that Post Agenda.

The Chair:

We will cancel that meeting.

Any other matter under unfinished business?

We need final approval on the appointment of Dan Frankel for a four-year term with the URA. He was in front of us last week; I think he's done an outstanding job and did a great job in answering all of Council's questions.

MR. O'CONNOR PRESENTED:

No. 58 Authorizing the re-appointment of Dan Frankel, 5329 Fair Oaks Street, Pittsburgh, PA 15217, as a member of the Urban Redevelopment Authority of Pittsburgh, term to expire December 2, 2002.

MR. COHEN moved to approve the appointment.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

We look forward to him serving another four years.

Mr. Ferlo:

Under unfinished business, in December I offered a resolution, which was unanimously supported by this Council and also supported by Mayor Murphy regarding a Plan B Working Group Committee.

I met with you and I know you have been working with the administration to try to put this group together. I still think not withstanding the good work of the Mayor and the administration and the Commissioners and others who have offered plans of one sort or another regarding financing both for the immediacy of the stadiums and long arrange for better economic development, I still believe strongly that such a Working Group will be helpful to the process to bring fruition to acceptance of funding for stadiums as well as other economic development issues that

should be addressed.

I would once again request that the administration work with you in trying to bring some finality to this committee regardless of whatever the size ends up being. The original resolution suggested that as many as 40, the basic intent of the resolution was to try to get a broader based working group of people from the community development, community business sector and you name it, it was a broad based kind of representations. I hope we can try to see some light at the end of the tunnel regarding this issue.

The Chair:

I believe there is and we almost had a date this morning. By this afternoon we will have a date for that meeting and a finalization on who will be on that committee. We are committed to have that I believe by the end of next week we should have that result, not only the committee but the date set for the first meeting.

Mr. Ferlo:

Thank you very much.

REPORT OF COMMITTEES

The Chair:

Reports of standing Committees.

MR. UDIN PRESENTED:

Bill No. 76
Report of Committee on Finance and Budget for January 21, 1998, transmitting an ordinance and sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 12:

An Ordinance amending the Pittsburgh Code, Title I, Administration, Article III, Organization, Chapter 111, Departments Generally, and Chapter 116, Department of Public Safety, to provide for Council confirmation of Chiefs in the Public Safety Department, pursuant to Section 209 of the Home Rule Charter. **(SPONOSRED BY MR. FERLO).**

Which was read.

Also,

Bill No. 13:

Resolution transferring $82,020.48 from various code accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works (Prior Interim Approval Granted). **(PRESENTED BY MR. HERTZBERG).**

Which was read.

Also,

Bill No. 23:

Resolution authorizing the City Controller to transfer operating funds balances ($34,781.00) from various accounts in City Planning to Miscellaneous Services for the purpose of renovating the City Planning fourth floor located at 200 Ross Street.

Which was read.

Also,

Bill No. 29:

Resolution providing for the issuance of a warrant in favor of the New York Times in the amount of $2,058.00 for payment of legal advertising costs for the legal advertisement of September 18, 1997, Request for Proposal (RFP) to provide an Integrated Self-Assessed Tax Collection, Processing and Monitoring System, chargeable to and payable from Code Account No. 10065, Miscellaneous Services, Department of Finance. (Since the City has no contract with the New York Times for advertising, approval is requested to make payment by Wallace Act).

Which was read.

Also,

Bill No. 30:

Resolution providing for the issuance of a $2,718.21 warrant in favor of Annette Ganassi Olds in settlement of a claim in which a vehicle rented from this dealership for use by the Police Drug Task Force was damaged in a collision.

Which was read.

Also,

Bill No. 32:

Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period of July 1, 1997 through June 30, 1998. The total of the warrants will not exceed $23,857.00 chargeable to and payable from the JTPA Trust Fund, Index Code 260307, Account 566000, Fund 2300, Organization 109600, Sub-Class 600, Budget Year 1998.

Which was read.
Also,

Bill No. 33:

Resolution providing an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof. Total costs shall not exceed $24,000.00 chargeable to and payable from the JTPA-1 Trust Fund, Index Code 260307, Account 566000, Fund 2300, Organization 109600, Sub-Class 600, Budget Year 1998.

Which was read.

Also,

Bill No. 33:

Resolution providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller not to exceed $80,000.00 chargeable and payable from Code Account 1048, Index Code 104802, Account 526100, Fund 1000, org. 106000, Sub 150, Budget Year 1998.

Which was read.

Also,

Bill No. 36:

Resolution authorizing the City to issue a quit claim deed for property in the 24th Ward, known as 11-13-15 Erk Way and 1131 Florence (Frontier) St., Block 47P, Lots 285, 286, 288 and 289 to the Pittsburgh Water and Sewer Authority.

Which was read.

The Chair:

Do you have an amendment?

Mr. Ferlo:

Yes, Mr. President. In relation to Ordinance Number 12, the first bill, I would like to respectfully ask that we substitute by amendment the document you have on the

table here.

MR. ONORATO seconded the motion.

Mr. Ferlo:

Just briefly. This basically addresses Council's concern. Councilman Onorato raised some technical issues about the phrasing of the Public Safety Director reference. The intent of this bill basically and what it does upon approval of the substitute ordinance the Home Rule Charter is clear that Council as a legislative body will advise and consent and give its approval to any formal director being appointed by the Mayor.

This however addresses the fact that there are five important Bureau chiefs, specifically those in Public Safety, the Fire Chief, the police, EMS Emergency Medical Bureau Chief, as well EOC and the Chief of Building Inspection. That when those individuals are appointed in the future they should be confirmed by City Council equal to the Parks Director and Public Works and some of the others.

There are others raised by Council regarding cleaning up the code as it relates to the fact that we no longer have an Environmental Services Department, and other issues. The Clerk's office was nice enough to work on that issue for the last few days and those bills were introduced today. We waived Rule eight and they will up tomorrow. They will clean up the code as it relates to what actually is or does not exist by way of various departments.

So if Council approves this, it would stipulate that the five Bureau Chiefs and Public Safety would have to be confirmed by City Council.

The Chair:

Any further discussion on the amendment?

Motion passes.

Mr. Ferlo:

Thank you.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none, bills are now ready for final action.

All in favor of the bills will voted aye when your names are called, if opposed, please vote noe. Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor (Pres't)

(MR. COHEN ABSTAINED ON BILL 34, MR. RICCIARDI ABSTAINED ON BILLS 32 AND 33)

Bills having received the legally required number of votes, are approved finally.

MR. HERTZBERG PRESENTED:

Bill No. 77:

Committee on Public Works, Water and

Environmental Services for January 21, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 14:

Resolution granting unto Paula Lenigan an encroachment to construct a fence on Loyal Way in the 18th Ward, 3rd Council District.

Which was read.

Also,

Bill No. 15:

Resolution granting unto Duquesne University an encroachment to construct a pedestrian bridge over Forbes Avenue in the 1st Ward, 6th Council District.

Which was read.

Also,

Bill No. 16:

Resolution granting unto the Historic Society of Western Pennsylvania, an encroachment to construct at their own cost & expense, to place 3 official historic markers on portions of right of ways at various locations in the 2nd Ward, 6th Council District, 6th Ward, 7th Council district and 19th Ward, 2nd Council District.

Which was read.

Also,

Bill No. 17:

Resolution vacating a portion of Roxbury Way between Bigelow and Ridgeway Street in the 6th Ward, 7th Council District.

Which was read.

Also,

Bill No. 18:

Resolution vacating a portion of Webster Avenue and a portion of Blessing Street in the 5th Ward, 6th Council District.

Which was read.

Mr. Hertzberg:

Thank you, Mr. President. I would like to make a motion to amend Bill No. 15 regarding the Duquesne University bridge encroachment.

The amendment should have been delivered to everyone. The Director of Public Works has asked for an amendment regarding the amount of liability insurance being a million dollars and regarding the fee, which is regulated by an ordinance from 1992.

MR. FERLO seconded the motion.

The Chair:

Any discussion on the amendment? Amendment passes.

You have heard the reading and title of the bills, any further discussion on the bills?

Mr. Ferlo:

Mr. President and colleagues, in regards to Bill 15 the pedestrian bridge from Duquesne main campus across Forbes Avenue to what we knew in the past as the Fischer Scientific building. I still have major reservations about this. Not only the esthetics as was presented at the table, but when I consider the mauling effect of take

pedestrians off of the main street in this case the Forbes Corridor. I think there is a multiplying effect of that it is not clear that we have had a lot of discussion.

I would say in the 10 years I have been here more so than any other colleague, I have had the privilege of voting consistently in favor of this University and I have always been impressed even with the Director, as well obviously Dr. Murray. I think the Board and Dr. Murray, in particular, in the last decade that I have been here have done a great job in expanding in a very sensitive and good way the educational opportunities as well as the building of the institution itself.

I took up the University's cause as it relates to the Allegheny County Jail construction by asking this Council at the time to change the Zoning Code to address the massing of the jail as it relates to intrusion upon the old main campus of the University. More recently and there have been many other votes for conditional use and expansion including giving up one of our public streets within the campus to the University. More recently the University as part of its expansion of its master plan purchased a major commercial building, Fischer Scientific.

I think there is a concern always when additional non-profit acquisition takes place by a major institution in this case, we will loose a significant revenue mercantile as well as property taxation for this commercial structure. I weighed that against the expansion and the needs of the University and I voted in the end for that.

So I want to preference my no vote today on this pedestrian bridge and put it in some context, since often times when I vote no it is viewed sometimes as being obstructionist or anything of the sort.

I have been an ally to this University and they have done a great job, I have consistently applauded this institution as well its leadership. But I have major reservations about this pedestrian bridge over Forbes Avenue for esthetic and for reasons as it relates to the street life of the corridor.

Mr. Udin:

I want to register my support for this bridge and solicit support of my colleagues. It is not just an esthetic issue. The bridges is a functional necessity in order to allow the University to fully utilize the Fischer Scientific building which they have acquired and are renovating.

I would add that although the drawings that we had occasion to review at the table last week did not truly show the esthetic attractiveness that I saw on other drawings, and it is unfortunate that we didn't have those other drawings. But I have witnessed other drawings that show a very esthetically pleasing glass encased heated pedestrian bridge that will go from the hillside where the school is across the street to the newly renovated Fischer Scientific building.

Regarding the question of the mauling effect of taking pedestrian traffic away from the activity on the streets, ordinarily I would support that concern but when you think of the streets that we are talking about in particular here there is no activity on those streets. There are no commercial sites along those streets and given the geography of the area there, it does not accommodate itself easily to commercial

activity.

The activity with the coming out of the tunnel and coming into town or going to the boulevard, it is a tremendously busy thoroughfare. If we did not provide for a pedestrian crossing, I would think that it would present a danger to the staff and students who would be trying to make it across the street on Forbes Avenue, which has become a highway for cars leaving town and trying to get up that steep hillside to the main campus of the University.

So ordinarily I support the concerns that are raised by President Emeritus Ferlo, however, I think they do not apply in this instance. I would ask colleagues to look at the unique request that is being made here by the University and support this motion.

Mr. Onorato:

I want to add I am supporting the resolution. A lot of it is on good faith based on what Duquesne has already done. I am extremely impressed with, if you recall, if anyone is familiar with the University, the entrance gates they put up a few years ago. One on Forbes, I think the other one is off the Boulevard of the Allies up top. That decorative it looks like iron fencing has really added to both of those areas.

As Councilman Udin said the high traffic at this location of Forbes and in addition to what he mentioned but also the highway overpasses, it just doesn't make itself that adaptable to street commercial use. However, the entranceways that Duquesne has already put in, I think have really added to the comfort zone and the welcoming of the campus and really defining the campus.

So based on what they have done and the foot bridge they have put up too also, based on those three designs, I am willing to go on good faith here that they will continue to take the architectural esthetics into effect when they do this one.

Mr. Diven:

I want to register my support of this bill as well. I am an alumnus of Duquesne University and five years ago I graduated from this University. But at the time as a student, I worked in town and I know that the traffic along Forbes Avenue, the pedestrian traffic, is not what it would appear from the surface. I think there is actually no stores or shops or anything commercial along that access way.

In the issue of safety for the students trying to cross that street is a very important one. I am very impressed with what Duquesne has achieved and the renovation of its campus. This is going to be a welcome addition not only to Duquesne University but to the City of Pittsburgh as well. I am in support of it.

Mr. Hertzberg:

In considering this pedestrian bridge, I think we need to consider how many pedestrian bridges there are elsewhere in the City all around. I mean just a few examples, one in particular that Pitt has over Forbes Avenue in Oakland would be very similar of course Kaufmann's, we all know they have a pedestrian bridge. PPG has a pedestrian bridge and even the old county jail, maybe that's the first one, I don't know. The list goes on and on.

They are everywhere and they are a convenience to the users, the facilities that

are connected, some of it is caused by extremely busy thoroughfares. That's the case with this proposed one at Duquesne and it is also caused by the typography where the bulk of Duquesne's academic facility's are high up on the Hill. It would be a heck of a burden to have to travel down the hill and back up the hill, cross over the busy street. It is just a natural way of unifying this new part of their campus and actually bringing it closer to downtown at the same time.

I am in support of this. I think as far as esthetics are concerned, it does have some effect, but I think it is minimal because that point where we have the cross town ramp. We already have the kind of visual dividing effect that is already there. I don't think this really adds much to the negative column and it adds a lot more in the positive column.

Mr. Cohen:

Thank you, Mr. President. I also support the legislation. I think that for safety reasons it's a good thing. Frankly it probably would have been a good thing on Bigelow Boulevard and maybe the University of Pittsburgh can take a tip from their colleague University.

But that aside, I do think it is a positive thing. Duquesne University is taking great strides and not only to expand their academic program, but also to work towards economic development in this region. I think we should support them unless there is a strong reason not to. I don't see that strong reason here. So for that reason, I do support it.

Mr. Ferlo:

I just want to explain my no vote and secondly ask that in my future when there are major issues like this and I do consider this a major issue, that the department should supply whether it be Public Works and/or Planning better documentation regarding the request.

I know Councilman Udin was more intently involved in this whole issue and spent a lot of time on it. But I think in the future that it would be more helpful if all of Council colleagues were privileged to see whatever rendering and other drawing. I want to register my no vote and explain why.

The Chair:

Again, I will be voting yes. But, I believe you bring up a good point. The sketches they showed us were not that good. But a lot of people brought up many issues in the safety. I will just end that I would encourage everyone if you haven't been to Duquesne University, the facility is a jewel and an outstanding accomplishment and a credit to all of those at Duquesne what they have done in the last 10 years, it is remarkable.

The first time I went there and the couple of years my son started going there about three years ago I was amazed at the accomplishments they have done physically outside of the educational opportunities they give us all.

The bills are now ready for final action. All those in favor the passage of the bills vote aye when your names are called, if opposed, vote no.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

(MR. FERLO VOTED NOE ON BILL 15)

The bills having received the legally required number of votes, are approved finally.

MR. ONORATO PRESENTED:

Bill No. 78:

Committee on Planning Zoning and Land Use for January 21, 1998 transmitting a resolution to Council.

Which was read, received, and filed.

Also, With an affirmative recommendation.

Bill No. 24:

Resolution authorizing the Director of the Department of City Planning to enter into contracts, or use existing contracts, for the renovation of the fourth floor of the Department of City Planning, located at 200 Ross Street, at a cost not to exceed $32,000.00 chargeable to and payable from Miscellaneous Services; Maintenance Miscellaneous – Account No. 525120.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion?

Mr. Ferlo:

Mr. President, in regards to this bill I think it is interesting to recount the history. The administration originally came to this body and asked that several hundred thousand dollars be appropriated to rent space in the private sector in the downtown community for the SPOCK Program, the Single Point of Contract Program.

A number of colleagues including myself raised objections to these private sectors renting and asked at the table why can't we just rent to ourselves and take the money as part of indirect cost recovery from the Federal grant?

There was a lot of himing and hawing. It is clear that the administration did not coordinate amongst itself, among the various department levels, General Services, Personnel and Civil Service, the Mayor's Budget Office. Eventually, thankfully because this Council held out it seems however that Council's concerns and also the objection we raised we were proven correct that we could indeed operate this office and incur a reimbursement from the Federal grant.

I find it interesting also that the administration late December sent a bill over here saying that before we submit any bill we needed to know what the economic impact was or its expense. I would suggest that they reread their own bill and that this year since we are starting fresh in the budget and before they send stuff over here they also take the time to review their resolutions for expenditures prior to submitting them to Council.

The Chair:

Any further discussion? The bills

are now ready for final action. All in favor vote aye when your names are called, if opposed vote noe. Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes are approved finally.

MR. RICCIARDI PRESENTED:

Bill No. 79.

Committee on Housing, Economic Development and Promotion for January 21,1998 transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 25:

Resolution approving execution of a Contract for Disposition of land by and between the URA and Mascaro Construction Co., L. P. or an entity to be formed for the sale of Parcel 1 in the 21st Ward (B&L 22-J-pt. Of lot 151), Redevelopment Area No. 11, Metropolitan Street at Columbus Avenue, Council District 6 (Construction of an Office Building).

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none, bills are now ready for final action. All those in favor of the bill vote aye when your names are called, those opposed vote no.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills having received the legally required number of votes are passed finally.

MR. FERLO PRESENTED:

Bill No. 80:

Committee on Engineering and Construction for January 21, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 46:

Resolution amending Resolution No. 520, effective August 15, 1997 entitled "providing for a project Cooperation Agreement with the U.S. Army Corporation of Engineers to acquire right-of-way, design and construct the Lower Saw Mill Run Flood Protection Improvements and to commit the City share of $3.525 million," by providing partial funding for the City's share of the project costs; by providing for a Reimbursement Agreement with the Pennsylvania Department of Environmental Protection for 50% of the City's share of project costs; and by providing for Reimbursement Agreement with Alcosan for their share of the City's costs of this project.

The Chair:

You have heard the reading and title of the bills, any discussion?

Mr. Hertzberg:

Thank you, Mr. President. I would like to have my comments brought forward from last Wednesday's meeting.

(See Addendum for comments)

On behalf of the entire West End neighborhood, I want to thank everyone for their support for this flood control initiative. We really are going to benefit from this and it's been a big problem with flooding in the West End and we are getting near the point where we are finally going to resolve it.

I know one of the original advocates can't be with us today but she is with us in spirit, that's Mary Louis Daniel who worked long and hard on this and passed away last May. So I hope I have everyone's support on this. I am pretty sure we do. We have been over this many, many times.

Mr. Ferlo:

I do want to thank Director Reginella and all his staff. I think there has been a lot of hard work and due diligence on trying to be creative in bringing this project to fruition by coordinating and kind of getting a one stop shopping, so to speak, as it relates to the bidding and all the contracts involved and all the execution of all those contracts, the project management activity. I want to thank Director Reginella and the administration for their work.

I want to note that as long as I have been here and even before I did want to thank our former City Council President Jack Wagner now State Senator. Who I know for a long time was a very vocal advocate for this project and I do think we should thank the Alcosan Board and its Directors past and present. It is still unclear what their direct legal obligation is in relation to contributing to this project but part of my increase rates at Alcosan are going to help pay for this and I gladly pay it. This is an important project.

I think Councilman Onorato's point was a good point at the Committee Session though. That is long range. At some point it maybe appropriate that Alcosan and or PWSA or some other authority outside of City Government eventually take some ownership of this right away in terms of its long term health in terms of the construction activity that is going to be going on.

But for the immediacy I think we need to get this project moving. It's 12 years overdue and we finally have seen the light at the end of the tunnel. This time fortunately we are building a tunnel, but actually deepening and widening and making safer this corridor.

The Chair:

Would you like to send a thank you letter to those involved, including Ms. Daniel's family maybe?

Mr. Ferlo:

By all means.

Mr. Diven:

I would just like to echo the sentiments of my colleagues here. This has been a project that has been of great importance to the South Hills Communities and there has been a lot of work that has gone into making it a safer area for these communities.

I am just fortunate enough to come in at the right time and be in a position to be apart of the combination of all this activity. I would like to thank all those people that have devoted a lot of time and effort in making this happen because a lot of time and effort went into this work and I appreciate that.

The Chair:

You being on the Alcosan Board will help play a role in the future there.

Mr. Diven:

I am looking forward to working as Council's emissary at Alcosan and trying to make sure that issues not only in the Saw Mill Run Water shed, but in other Alcosan related city issues are brought to bare down there. I am looking forward to taking the input of my colleagues over to the North Side and making sure that our representative voice is heard over there.

The Chair:

Any further discussion? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called, if opposed, vote noe.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine **NOES None**

Bills have received the legally required number of votes are passed finally.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTED:

No. 81 Resolution authorizing the Appointment of The Honorable Bob O'Connor, as a Member of the Comprehensive Municipal Pension Trust Fund, for a term to expire December 31, 2001.

No. 82 Resolution authorizing the Re-appointment of Andrew Hughey as a Member of the Minority and Womens Business Enterprise Review Committee, term to expire April 30, 2000.

No. 83 Resolution authorizing the Re-appointment of Earl Hord as a Member of

the Minority and Women Business Enterprise Review Committee, term to expire April 30, 2000.

No. 84 Resolution authorizing the Re-appointment of Sandra Rosen as a Member of the Minority and Women Business Enterprise Review Committee, term to expire April 30, 2000.

No. 85 Resolution authorizing the Re-appointment of James Overton as a Member of the Minority and Women Business Enterprise Review Committee, term to expire April 30, 2000.

MR. FERLO moved to approve the appointment of Mr. President O'Connor to the Comprehensive Municipal Pension Board. I respectfully ask that the other representatives that are re-appointed, Mr. Hord and the others to the NBWB committee, I think it would be appropriate to have them come before us. I want to address a number of issues regarding the committee. I am all for their reappointment, but I would like to have an opportunity to discuss some issues.

MR. ONORATO seconded the motion.

The Chair:

I think it is good that we interact with them.

Although they have done, as you agree, and I agree most of them have done an outstanding job I think it is good to see what they have done and some questions Council asks.

Motion passes.

Mr. Udin:

If I may, I don't know if it is appropriate, but sometimes when we ask some of the board members some questions regarding appointments to Boards that are being appointed to, it would be helpful to have the chairperson of that board available to address some of the issues that some of the members may not able to address. If there is no objection, especially when we ask the appointments to the NBE committee, it maybe helpful to have the Chairperson Dr. Curry to be available.

Mr. Onorato:

One other point of procedure, I will ask the clerk to do this. I think this will be helpful in the future. Anytime we have a nominee for any board, if the Clerk at the hearing on Wednesday could provide us with a list of everybody currently on that board and their address and when their term expires. I think we have to look at it as a whole picture. We usually get one at a time. These boards are 9, 10, 12 people. To have that whole picture there would help me out and I think all of us could benefit by having that information in front of us.

Mr. Ferlo:

My motion was to accept your appointment as well and inviting of all these representatives.

The Chair:

All in favor of my appointment? That's approved. We will hold the others for the Wednesday meeting.

I have had a request from Mr. Flaherty, Controller Flaherty to hold a Post Agenda, televised post agenda on the sewer audit and possibly continue the host

fee discussion.

All those in favor?

MR. UDIN moved to hold a Post Agenda Meeting.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Onorato:

I have an issue, probably should have been brought up under unfinished business but something that's reared its head again, and I think we have to deal with it. About two years ago, maybe even threes ago, I took part in a subcommittee meeting at the School Board dealing with yellow buses versus Port Authority buses for transporting the students. The issue is coming up again. I know my office has been getting calls about the issue of going back to Port Authority buses.

But the subcommittee that I participated in with the School Board about 3 years ago, the issue was using Port Authority Transit and giving the students 24 hours passes, 24 hours a day and the downtown issue with the big transfer station downtown.

I think at a minimum, what I am going to do, I am going to have a Post Agenda and invite the representatives from the businesses, the School Board, and the City again. So at least we are prepared for it and know what the impact is effecting the City, not the school side of it. What the City issue is of where the buses are going, are there going to be more buses downtown now from Port Authority.

I understand there are several thousand kids that will be on Port Authority buses next fall as opposed to today and that those issues have to be addressed I think. It does have an impact on what we do. We are going to hear from the downtown businesses again. We have about seven months, eight months, to actually sit down and address it now before the issue hits in September. I will be holding a Post Agenda hopefully within a month and we can maybe work out these issues.

The Chair:

We will televise that.

Mr. Ricciardi:

On the same issue, I whole-heartedly support this type of Post Agenda. I want to thank Mr. Onorato for bringing this up. To be perfectly frank with my colleagues, I have a problem cite in my district regarding bus transportation and unruliness by students. It is at the corner of Hayes, Bossman and Brownsville Roads. If one will recall several months ago, approximately six months to a year ago, there was actually a shooting at that corner.

The business community they are very upset with the students on how they block the sidewalks, on how they are just not disciplined at the corner, how they are just passing up their buses. It is just not an attractive sight. Unfortunately the Mount Oliver Police and the City of Pittsburgh Police and School Board Police have been monitoring the site but it just at times looks like a battle zone.

I am looking forward to this hearing because we really have to work with the School Board for them to understand that

they cannot create a problem either in any of our neighborhoods including the central business district on how the kids are just put in at a certain spot. Plus the students have to be personally responsible for their actions including their parents. So this is something that we really need to talk about. Thank you.

Mr. Hertzberg:

There is a tie in with the whole issue of enforcing the Truancy law when it comes to the issue of Port Authority buses and the abuse of those passes that these students are getting and it is definitely being attacked on that level.

So there is going to be some cross over here on that topic when we have the Post Agenda on the Truancy reduction efforts.

The Chair:

I just heard a good one on the Truancy that the youngsters are using their passes to go to the malls for the day. So they think they can round up 30, 40 kids on any given day on one bus. So the things that we learn --

Mr. Onorato:

That issue came up last time, which I was never convinced with why they are giving 24-hour passes. I know it has to do with reimbursements, but seven days a week, so we have to deal with those issues before fall.

The Chair:

Even on weekends, I believe.

Mr. Ferlo:

I have to defray because hopefully we will have the Post Agenda Meeting. I hope we don't rush the judgment. If I have young people in my Council District at least that have the benefit of the PAT pass, past the school hours, but part of it is to go to the Water Works Mall to work part time. I don't object to that quite frankly.

Secondly, if giving the money to PAT given that they are a publicly funded agency with good Union jobs contributes to their financial health as a public transit authority as opposed to private school bus company and typically the school buses are unsafe and lower wage jobs, I am going to be quite honest, I would like to see those public dollars multiply and help the Port Authority.

I just hope we can try to address some of the issues. But if we are going to address issues, I would hope that we also put the microscope over the community oriented policing program. I at least thought it was going to be a good vehicle to have an on street officer deal in a good way with any quote problems that we have or problem intersections be they with pedestrians, kids or anyone else. I hope they are part of the equation also.

Mr. Onorato:

Just on that point, Mr. Ferlo, I agree to an extent. However, I will point out that we are responsible for transporting the kids and making sure they get there and I understand paying for that. However, once dealing with employment and going to jobs that is the whole reason that Port Authority was established. I do not think we should be in the business of providing free services for

that type of activity going to work. They are heavily subsidized to begin with to provide a competitive bus, $1.50 or $1.25 one way that is part of the responsibilities of going to work.

I think it makes no sense what so ever to provide passes regardless of income to every single kid that goes to the school. There are a lot of issues to be established here and I don't think giving 24 hour passes to all the kids seven days a week makes much sense.

Mr. Cohen:

I think we had a long discussion last week and maybe this should be under old business about the property tax reassessments. I don't know about my colleagues but the number of calls that I have received this week has not been reduced from last week. If anything it has increased. I wanted to know what the status of scheduling of a Post Agenda is on that and make sure that it is televised and would like to know who exactly is being invited to that Post Agenda Meeting?

Mr. Udin:

It was my motion to have the Post Agenda. I have received indication from the Commissioners that they will be available as long as we can do it according to a schedule that permits their presence.

Our intention was to have representatives from not only the Commissioners but also the private company that is involved in the reassessment, representatives from the School Board and representatives from the City. But if there are any others, whom any colleagues wish to have present, please either give that information to the Clerk or myself. We will make sure that they are present. We are trying to schedule it as quickly as possible.

Mr. Cohen:

That sounds fine. I am also telling people who call my office that there will be a Post Agenda. I would like to tell them a day and time. My only concern is that the deadline for these appeals is approaching, so hopefully we can do this before that occurs.

The Chair:

What is the dead line?

Mr. Onorato:

February 20 or 28, the end of February.

Mr. Udin:

We should have a date within the next couple of days, Councilman.

Mr. Onorato:

In the meantime I suggest to my colleagues I think we can do this right now. I would suggest that we run every day on our cable station three things, one let people know when the deadline is for filing an appeal, put the phone number of the County and the procedure of how to file an appeal.

In addition, list the programs that we have and the County has. That's what I am doing, that's what you are doing. That's what you're doing. That's what we are all doing. We should have it on our cable access channel for our residents every half-hour on the half-hour saying here is the procedure. I really believe there are so many of our neighbors being hit now, we need a

uniform answer coming out of the City and there is two.

If you are a certain age and you live in your home a certain amount of period, you have one option. If you are young, there is an appeal process. I can tell you right now, I don't think any one us can tell us exactly what the process is. We would all have a different answer.

I think that is how we use this cable channel. That would be productive and put the County number, who they contact and maybe even if any attorney's want to do pro bono work representing these people, put their numbers on there. I don't care as long as it is pro bono. I would ask that maybe we get cable within this week to have something started by Monday as a resolution to put all three of those points on the cable channel.

The Chair:

I believe it is a good idea and I will instruct Mr. Cohen that is his department to do that. I think as soon as possible.

Mr. Cohen:

I think that is an excellent idea.

Mr. Ricciardi:

I am very pleased to hear so much discussion regarding this issue. Last week I had the opportunity to personally accompany a few residents over to file the appeal. The appeal process is not that difficult. It just takes a few minutes. I think we need to talk about the program. For example, not only last week we talked about the Act 77 which is the 1993 Tax Relief Program and the different thresholds of income between City and County.

But at that time the Gentrification Bill came up for discussion and Mr. Hertzberg asked some very very good questions. I did more research on that. It is true that Allegheny County's Gentrification Bill was ruled unconstitutional. However, the City of Pittsburgh's Gentrification Bill is still on the books. That's why the Post Agenda Mr. Udin is calling for is so important.

Our Gentrification Bill which I had the pleasure of sponsoring with a lot of input from all colleagues including Councilman Dan Cohen who helped me very much on the Gentrification Bill and at that time Finance Director Ben Hador. Ours was not ruled unconstitutional because it is truly a Gentrification Bill. Meaning that if everyone around you is improving their homes and you just get caught up in the assessment because of what your neighbors are doing you should be capped at 5%. Where as Allegheny County just said no matter what happened, you're capped at 5%.

So, now what we need to do which means let's take a South Side resident where there is true Gentrification because of the influx of so many people with higher incomes, what we need to do is they will qualify for the City's Gentrification Bill, but not the County. The county once again as I stated needs to raise the threshold. They have really been lax on this entire process. They need to rewrite their Gentrification Bill hopefully paralleling ours. So when someone in the City of Pittsburgh be it in Shadyside or South Side area or Knoxville or our other communities truly qualify for Gentrification that they could also qualify on the County side.

So, it is interesting when Mr. Udin

first mentioned about the Post Agenda last week I wasn't sure what benefits could come out of it. But now I can see there is a lot of benefit.

Let me talk a little about this new company, this privatization. I believe this company from Ohio that the County Commissioners gave $25 million to and show you how they're off the mark.

A woman in the South Side received an assessment for two homes on her property. The one she is living in and the one that was demolished in 1985. They just reassessed her for that building. That building that has been demolished for 10 years.

So the problem with this new company is they don't know the City of Pittsburgh, they don't know Allegheny County. They are sitting in Ohio just looking at their computer reassessing people and in this case assessing someone whose home does not exist. It has been demolished. The County found out about it but I think it is called Saber Company ended up reassessing it.

So it shows privatization is not the answer. They had good solid county employees that unfortunately they laid off and unfortunately they are not giving the responsibility for and they are spending $25 million to an Ohio firm that just reassessed a woman for property that has been demolished since 1985. Where is their credibility? I think Mr. Udin has invited them, did you say?

Mr. Udin:

I am not sure they will accept now.

Mr. Ricciardi:

I hope they do accept because I would like to bring them on a tour of my district so they get to know it a little bit better.

The Chair:

Just to follow up on your request last week, I spoke with Commissioner Cranmer yesterday, he agrees with us and he is sending it forward to his proper people to try to merge some of these things. Again, why have two letters, two different information. Possibly that can lead to some joint efforts on both parts.

You bring a very good point up, let's bring this company in. We should know what they are doing too.

Any further discussion?

Mr. Ferlo:

I would like to ask two of my colleagues Councilwoman McDonald who Chairs Parks and Recreation and Mr. Hertzberg who Chairs Public Work in regards to a community issue both in Highland Park and Morningside and parts of Lawrenceville, and that is the Hess Run Community. It is part of the extension of Highland Park. It is a very significant part of the park and it is a ravine that runs from a community playground in Morningside all the way over to an Exxon Station at Baker and Butler Street.

The reason why I would like them to take a walking trip with me as well invite my other colleagues and I will also buy you all lunch out in my district, so I can get you out there. But we have a great opportunity

and the Mayor and the administration have been ally's to our parks system to the extent that they have resources and we have a great opportunity to not only build and make a new commercial store at the Exxon Station at Butler Street.

The State has finally after 10 years of lobbying moving towards replacement of the Hess Run Bridge which is in disrepair which many of know you as the bridge going at the end of Butler Street and the base of the Highland Park Zoo. I think my colleagues will be amazed at the amount of land that exists which right now unfortunately is occupied by the Public Works Division. At some point I would like to have them make an orderly move somewhere else and I will help them find a location. But we have several needs now that are coming to light more so than in the past.

Morningside Field and the Morningside community I think many of my colleagues are familiar with this community. They know the strength of many of the sports teams. There is a glaring need for additional field opportunities. This park area is a great opportunity to expand reasonably and appropriately the Hess Park area in Morningside all the way over to the other side, which ends up on Butler Street at the foot of the Zoo parking lot. It is clear that the Zoo also needs additional parking.

On the one side I think we can accommodate the Zoo for additional parking that they need, possibly still keep the farmers market there which right now is being evicted by the administration. The community could have an expanded park. Even if we had to we could probably make some accommodation to Public Works. In any event, I would like to respectfully ask my two colleagues and others if they would join me in the next few weeks in the community for a walking tour and try to put our dream caps on. I think there is a great opportunity to embellish this park for a business, for the community, for the Zoo and for everybody involved. I would ask that they would give me some help on this. Thank you.

Mr. O'Connor:

I hope, as you said, I believe we should invite everyone. I think Morningside is one of the leaders with youth initiative. Whether it be sports, playgrounds, activities. I have been amazed when I have gone there Saturday nights for football. It is really a community effort and we certainly have been there and other parts of the City, but I sure think that can be handled.

Any further discussion?

MR. HERTZBERG moved to approve the minutes.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn.

MS. MCDONALD seconded the motion.

And with the motion made by Mr. Hertzberg, meeting was adjourned.

ADDENDUM

Councilman Hertzberg's comments on Bill No. 46 can be found in the Standing Committee Meeting minutes of January 21, 1998.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *February 3, 1998* *No. 5*

Municipal Record

ONE-HUNDRED
THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 3, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

We all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

With us today we have Amanda Killmeyer and Julia Killmeyer who is eight years old and in the third grade at Stevens Elementary and her sister is in kindergarten at Stevens. They live in Sheraton. Diane works in Councilman Hertzberg's office, District Two.

Please lead us in the pledge.

Amanda and Julia Killmeyer:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one Nation, under God, indivisible with Liberty and justice for all.

The Chair:

Thank you very much for coming down. On behalf of myself and Councilman Hertzberg we have a flag of our City and of our Nation. We have one for your brother Raymond who couldn't make it today he had gym class.

PRESENTATIONS

MS. MCDONALD PRESENTS:

No. 86 WHEREAS, during the Month of February the nation will celebrate Black History Month; and

WHEREAS, across the country Americans will take part in celebrating the contributions of African-Americans of our cultural, business, educational, scientific and political life; and

WHEREAS, events sponsored by the Pittsburgh Federal Executive Board of African-American History Month Committee have gone from programs just for Federal employees to an exciting range of programs in which every part of the community, from school children to senior citizens participate;

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognize the commitment of the Pittsburgh Federal Executive Board African-American History Month Committee for making African-American History Month an enjoyable and educational event for so many members of our community.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN AND MS. MCDONALD PRESENT:

No. 87 Whereas, January 1983 Nate Hollis began hosting the "Sunday Morning Gospel" radio show. The show continues to air weekly on WAMO 860 AM, 106.7, and 107.1 FM radio stations owned by the Sheridan Broadcasting Company. On weekday mornings, he can be heard on the Pittsburgh Gospel Radio station 1080 AM, WPGR. WPGR is Pittsburgh's newest Gospel radio station owned by Mortenson Broadcasting. Through his devotion to Christian music and radio broadcasting Nate Hollis became known to his listeners as "The Gospel Music Man;" and

Whereas, "Brother Nate," was born and raised in Pittsburgh's Hill District and graduated from Schenley High School. He is the fourth of ten children born to Evangelist Mattie V. Hollis, also of Pittsburgh; and

Whereas, Brother Nate is now recognized for his commitment to serving the Lord, the church and the community for more than fifteen years and continues to delight the listening Pittsburgh Audience. He has traveled the Tri-State area extensively since he was a young man, supporting church programs, civic events, benefits and community functions. He has been willing to donate his time, talent and effort to make each appearance a huge success; and

Whereas, he has performed with his family's group, The Hollis Family Singers (now known as Heavenly Sounds), or with one of the many choirs with which he has worked. Brother Nate has contributed tirelessly to the cause of soul-winning and community outreach and support programs.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Brother Nate Hollis for his work and dedication.

MR. HERTZBERG moved to adopt the resolution.

THE CHAIR seconded the motion.

Which motion prevailed.

The Chair:

Presentation of papers.

MR. FERLO PRESENTED:

No. 88 Resolution authorizing and directing the Controller to perform a fiscal audit of the City of Pittsburgh's 911 Emergency Telephone Act Trust Fund (ETATF) including all revenue and expenditures since the establishment of the Trust Fund. **(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO PRESENTED:

No. 89 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Numbered 11 by changing from "C3" Commercial District to "RP" Planned Residential Unit Development District all that certain property bounded by: North Negley Ave; the "RP" Zoning District Boundary Line located, between Rural Street and Penn Avenue and also between North Saint Claire Street and North Negley Avenue, 11th Ward.

No. 90 Resolution providing for an Agreement or Agreement with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention, and essential services of said Agencies, at a total cost not to exceed $839,000.00

Which were read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 91 Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263: Real Property Tax and Exemption, by making revisions to provide property tax relief for city residents.

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI moved to suspend Rule 8 by providing the consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 92 Resolution Authorizing and directing the Mayor and the Director of the Bureau of Information Systems, on behalf of the City Clerk, City of Pittsburgh, to advertise for proposals and to award and enter into an agreement(s), professional services agreement(s), and/or contract or contracts for the design, development and implementation of a legislative tracking and information management system for the City Clerk's Office to include the purchase of computer equipment, supplies, communication, hardware, software, training, and maintenance.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Also,

No. 93 Resolution amending and supplementing Resolution No. 836, effective January 1, 1998, entitled, "Making appropriations to pay the expenses of

conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1998," by making certain corrections.

No. 94 Resolution amending and supplementing Resolution No. 838, effective January 1, 1998, entitled, "Resolution adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections.

No. 95 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act. No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

No. 96 Resolution amending Res. No. 56 of 1996, entitled, "Resolution authorizing an Agreement/s with a collection agency/ies for professional services in connection with the collection of delinquent fines, costs, fees and charges from outstanding parking and other City Code violations owed to the City of Pittsburgh's Magistrate's Court"; so as to extend the term of the agreement until February 29, 2000.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Any unfinished business?
UNFINISHED BUSINESS

Mr. Cohen:

I have a couple of items under old business that I wanted to bring up. The first is last Tuesday we talked again about the impact of the increase in property tax assessments and how many of us have received a number of calls. We want to do something to try to help the situation. Given that these assessments obviously are done by the County, not by the City, we don't have direct authority over them. I know we have a Post Agenda -- I believe that is coming up? Hopefully that's been scheduled?

Mr. O'Connor:

Monday at 2:00?

Mr. Udin:

One o'clock.

The Chair:

I believe Mr. Udin has quite a few guests including County officials.

Mr. Cohen:

I was assigned the task of seeing whether we could help citizens by putting information on our television station so that people would at least know what their rights are and how they could appeal their assessments if they wanted to do so.

I am happy to report that we are very close to getting that up on the air. The Law Department has prepared three different explanations, if you will. One for what the process of appeal would be, two for the Gentrification process that Councilman Ricciardi was so instrumental in, number three the Act 77 process.

So the Law Department has prepared

it for placement on our cable station. The Finance Department is now checking it for accuracy. General Service is prepared to put it up as soon as Finance approves it. It will be in a heavy rotation. What we asked frankly is to take a lot of things off the air so that this will be up very very often during the day and during the evening. That hopefully will be done by Friday so that people will be able to turn on their government channel and see number one what the process of appeal is; number two whether they are eligible for the gentrification act, which we passed here in the City; and number three what their rights would be under this Act 77.

Mr. Ricciardi:

First of all both professionally and personally, I would like to thank Mr. Dan Cohen for his fine work on behalf of the taxpayers in the City of Pittsburgh regarding the outrageous increases in assessments that taxpayers have experienced. I think Mr. Cohen is correct, we have to get the right information out there, which programs can help and that is both the Gentrification Bill and the Act 77 Tax Relief Bill.

We might have to hold the presses though. Hopefully the amendments that I have proposed today with the help of our City Clerk, Linda Johnson-Wasler, hopefully those amendments pass. There is going to be even more tax relief in the City of Pittsburgh.

Let me just say, colleagues, over the last few weeks I have been very vocal about this situation and that is what I consider unfair and outrageous, the increase in tax assessments. It was interesting no matter where I went into my neighborhood up to Carson Street, Warrington Avenue, and Arlington I was being bombarded by people and by complaints. I am sure everyone else was too but it is a situation I have never experienced before and now I find out why.

After requesting information from all the Commissioners, from all the Bureaucrats and County government, someone finally released some numbers to me. They are very distressing for me representing the South Side area.

First of all I think we need to ask the Commissioners a lot of questions. That is, how do they target certain neighborhoods? Let me give you an example, I have a sheet here that gives you the municipalities including the neighborhoods in the City of Pittsburgh and the number of increases through their assessments. Well, the number one is the South Side, the 17th Ward, 1,050 increases -- 1,050 increases. The second was Brookline and Beechview represented by Mr. Michael Diven 441 increases. The third back to the South Side, the 16th Ward, 246 increases.

So the South Side community, the slopes and flats, have targeted over 1400 increases. Then it goes from Ross, Bethel Park, Penn Hills, Clairton, Mount Lebanon, Jefferson, Shaler, Elizabeth Township, Upper Saint Clair, West Deer. If you take all those suburban municipalities they still do not equal the increase of assessments in the South Side flats and slopes.

No one in the county government can tell me with a straight face that South Side properties have increased to that certain degree. That's why as Mr. Hertzberg pointed out to me early this morning, the Gentrification Bill is so important.

The medium income in the South

Side area is less than $25,000. So what's happening on Carson Street is unfairly being a domino effect in our neighborhoods. These figures to me are very distressing.

I think that Mr. Diven and myself need to be very protective of our neighborhoods. I think we need to speak up. I want to thank Dan Cohen for the work he is doing on this behalf. But I am very distressed by these numbers that have been presented to me.

Kennywood has a Ukrainian day, an Italian day, and a Sheraton day. I tell you what I am having everyone full blast, full court press here working with Mr. Frank Gigliotti, and we are having everyone appeal their assessments, everyone. Even if they are not sure if they will win. It is going to be the South Side day in front of the assessments Board. That is what I am going to call it. Because we are coming in strong, we are going to have our 2,000 appeals there and we will tie up county government for a long time looking at each individual property.

Thank you.

The Chair:

While you still have the floor, a couple of years ago and Council supported your Gentrification Act, I thought what you put in place was exactly to prevent this. If someone moves next door to me and puts $100,000 into their home, and I have lived there 30, 40 years, I should not be affected.

Mr. Ricciardi:

You are right, Mr. O'Connor. The Gentrification Bill which is truly a Gentrification Bill which has not been challenged in the courts will cap the increase at 5%. But that's the reason we have to be more aggressive because the County's Gentrification Bill was not a Gentrification Bill. It was 5% acrossed the board from anywhere from Fox Chapel to Bethel Park to the Brentwood area.

It was not a Gentrification Bill. It was ruled unconstitutional in the courts but they have yet to put one forward. That's why we have requested the Allegheny County Commissioners respectfully to please come forward with another Gentrification Bill. You might be gentrified in the City of Pittsburgh, in South Side for the City, but not the County and not the School Board, and not the School Board, so that is a problem.

The Chair:

Thank you, Mr. Ricciardi. We will all look forward to our Post Agenda on Monday and it will be very important for everyone.

Mr. Cohen:

Mr. President, just briefly another old business matter. For any Council members who have not submitted their nomination for the vacancy for the Civilian Review Board, if I could just ask again for them please to do so. The Civilian Review Board really should have a full complement when they get ready to go and that will be very soon.

I don't know exactly how many there are, but if you haven't please submit them quickly.

The Chair:

I believe everyone is in except one Council member. I will push today to try get

his in.

I put mine in yesterday. I think there is only one missing. That is a good point.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 97:

Report of the Committee on Finance and Budget for January 24, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 27:

Resolution providing for a professional services agreement with KPMG Peat Marwick, LLP for the performance of the City's Financial Statement including Single Audit, Cost Allocation Study, and Regional Asset District Award Audit for the years ending December 31, 1997 through December 31, 1999 at a cost not to exceed $564,740 over three years, chargeable to and payable from Code Account No. 1063, Miscellaneous Services, Department of Finance, Index Code 106302, Account 526120, Fund 1000, Organization 107000, Sub-Class 150, Budget years 1998 through 2000, subject to annual budget appropriations for the same.

Which was read.

Also,

Bill No. 47:

Resolution Amending Resolution No. 746, effective December 2, 1997, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Community Development Locations; and providing for the payment of the cost thereof," by decreasing the total project allocation by $25,000.00 from $50,000.00 to $25,000.00. **(PRESENTED BY MR. FERLO).**

Which was read.

Also,

Bill No. 48:

Resolution transferring the amount of $5,000.00 from Code Account 1001-2, Salaries and Wages, City Council, Account 511000, Sub-Class 010 Org. Code 101100, to Code Account 1001-1, Miscellaneous Services, City Council, Account 525500, Sub-Class 150, Organization 101100, both within Fund 1000 for the budget year 1998. **(SPONSORED BY MR. HERTZBERG)**

Which was read.

Also,

Bill No. 50:

Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in a 16 foot by 16 foot area of property of the City, fronting on South 18th St., known as South Side Park, in the 17th Ward, designated as Block 13 B, Lot 48. **(Council District 3).**

Which was read.
Also,

Bill No. 51:

Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in an 11.5 foot by 23.5 foot area of property of the City, fronting on Bon Air Avenue, known as McKinley Park, in the 18th Ward, designated as Block 34 D, Lot 20. **(Council District 3).**

Which was read.

Also,

Bill No. 52:

Resolution authorizing the Mayor, the Director of Finance and the Director of the Department of Parks and Recreation to grant a license to Columbia Gas of Pennsylvania, Inc. to install, use, maintain and remove a regulator station in a 16 foot by 18 foot area of property of the City, fronting on Elsinburg St., known as McKinley Park, in the 18th Ward, designated as Block 34 D, Lot 20. **(Council District 3).**

Which was read.

Also,

Bill No. 70:

A Resolution authorizing and directing the Director of Finance and the City's financial adviser to provide various information to Council prior to the issuance of the $255 million dollar pension bond. **(SPONSORED BY MR. ONORATO).**
Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

On both bills, the bill number 27 which is the Consolidated Annual Financial Report that is done by the outside auditor, I am going to respectfully again vote no on final form on this bill. I was not convinced at the table with the discussion from the Finance Department and/or the Controllers Office.

I respect their professionalism and their hard work and I know they have yeoman task when it comes to doing all the work to make sure the CAFRA, the Consolidated Annual Financial Report, comes out by May 1 pursuant to the Charter. But I think there are any number of competent CPA firms, several of which did respond to this request for proposal. It's unsettling to me the difference here of roughly $150,000. I cannot see why we should pay an extra $150,000 to continue with KPMG Pete Marwick as opposed to some of the other bidders that came in at a better price.

The fact that another company bid a lower price to $250,000 less over the three year life of the contract, and suggests that they can do the work with less person hours than the other firms, I don't see why we should bare that burden or view that as owners. I think that burden and that cost and obligation contractually is on the firm that would secure the bid.

In this case I believe it was another company locally, a Pittsburgh based Maher Deussel, I think they called him. Every time I see that $150,000, I think of a new playground that could go in somewhere or

some fencing that could go up or some streets that could get fixed or some sidewalks that could be made better for people who are physically challenged. There are so many things I can think of to spend $150,000. We have invested millions of dollars in the new People Soft computer hardware system for City Government finally uniting the financial record keeping of all the different branches, the Legislative, the Controllers Office, and the Financial Administrative Offices.

I was lead to believe and the reason why I voted for some of those millions is that we were going to make jobs easier and reporting easier and more efficient. So we should be seeing some of these costs come down in terms of the annual report.

A lot of the report actually is prepared and done by our own staff, to their credit, in the Controllers Office which has a decent size staff and they are professionals, they do a lot of hard work. I just don't believe that this contract is warranting an additional $150,000. All things being equaled, I think it should have been awarded to the other company. I am going to respectfully vote no on this bill today for those reasons.

On the bond issue, I did support Councilman Onorato's resolution. I appreciate the time he put into it. I think he lead us to a better understanding of some of the issues that were up at the table last week. I don't know if we are moving on that today because I guess the bond issue will be up tomorrow. I think all of us are in receipt of a letter from gentleman, I believe his name is Mr. Fisher, from -- I don't know if it is Commonwealth or Common Securities?

Mr. Onorato:

Commonwealth Securities.

Mr. Ferlo:

It is kind of funny because a lot of his criticisms actually mirrored the questions I raised last week. I believe if we are going to go out on a competitive bid and I will credit the Mayor personally as well as his administration. I have never voted on negotiated bonds over the years. I was very pleased that in the previous tenure of the Mayor and now this new administration being the next tenure of the Mayor he continues his commitment to have competitive bids. I applaud him for that and I appreciate it. I think in the long run we can demonstrate clearly that's its the best thing for the taxpayers.

But I am not comfortable with the way this was done in terms of letting out the bid basically and maybe getting a few calls from just a few people in the bond market who said they do not like the call provision and now we are taking it out. I just think it is an abuse of the competitive bidding process.

Apparently Mr. Fisher from at least one company has suggested that concern also. He's even suggested that he would file a complaint with the SCC and other regulatory agencies. Mr. Hannigan and Mr. Miles Herrington I am sure they are wanting to act in the best interest of their fiduciary role and maybe it is true that they had reconsideration of the call provision, I am just not clear on why it was done. I think it should have been left in. I think it should have gone to the market. If there is anytime where we can get the most bank for the buck in the market right now, it is this period of the finances of Wall Street. I mean that's to

the benefit of the taxpayers. The market is so lucrative now.

This is a no brainer. It is a big bond issue granted. It is one of the biggest bond issues that I have ever had the privilege of voting on and it is going to be an important bond issue. I very much support it especially since Mr. Onorato raised a number of concerns about the balloon payment and leveling out the debt and all that. I am very uncomfortable and tomorrow -- I vote obviously for Mr. Onorato's resolution today but when it comes out tomorrow, I am not going to be voting in favor of the bond. I think there has been an abuse of the competitive bidding procedure.

The Chair:

I think we will discuss that.

Mr. Onorato:

On that issue, I want to thank the Director Hennigan for putting together a pretty large package; all of you should have received it. The letter is addressed to the President and members of Council dated January 30th. It's in my package here, I assume it's in your offices. But he addresses one through three of my resolution.

I think the best thing to do at this point procedurally, Mr. President, if there is no objection from my colleagues, this is not -- I am not backing away from it. I just think procedurally what I would like to do is recommit my bill so we can have this up tomorrow for discussion with the bond. I think that's the prudent thing to do.

I am going to make a motion to recommit only to review the answers. The answers are here. I think the resolution did what we wanted it to do. It produced in writing some of the answers that we have been asking for and Mr. Hennigan has done that. I have a motion to recommit Bill Number 70 to review the answers.

Mr. Cohen:

Point of order. So I understand. The plan -- I support that of course, but the plan if I recall is to have a preliminary and final vote on the bond issue tomorrow. I would assume that Councilman Onorato's bill would be treated the same?

Mr. Onorato:

We will have the Tuesday meeting tomorrow too. That is correct.

Mr. Cohen:

The final vote should be for your legislation to be at the same time as this?

Mr. Onorato:

It will follow the vote of the bond.

Mr. Cohen:

And I would ask that Director Hennigan be prepared to respond to the allegations in this letter by Mr. Fisher so we can get the administration's response to it.

The Chair:

Especially concerning the call back. I have had calls from different people on that issue. I want that further explained and we can make a decision tomorrow.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Any other discussions on the bill? Bills are now ready for final action. All in favor of the passage of the bills, vote aye when your names are called. All those opposed, vote no.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

(MR. DIVEN AND MR. FERLO VOTED NOE ON BILL 27)

The bills having received the legally required number of votes have been passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Anything under motions and resolutions? Hearing none, I have one.

This month the City of Pittsburgh we will have three places to give blood. Actually Tuesday, February 17, here across the street at Ross Street. The Pittsburgh Zoo, this is for City employees, on Friday, February 20, at the Zoo and the City County Building Friday, February 27. All those who want to give blood please do.

A reminder for tomorrow, we have a Post Agenda concerning Mr. Flaherty's audit of the sewer and host bill. I think it is a very important issue and a lot money at stake here, if we can finalize and work some of these details out. That will be at 2:00 tomorrow.

Mr. Ferlo:

Mr. President, I would ask that the President update us at least in general where we are at on our Plan B Working Group Task Force authorization and if a meeting has been called and how we have progressed with the convening? I think every colleague, at least a lot of colleagues have submitted a number of names including colleagues themselves who want to serve and be part of a reactor panel and give some additional thought to various proposals that are bantering around Grant Street.

The Chair:

I have had actually discussions over the last two weeks with the Mayor and Deputy Mayor's. We have set a preliminary meeting date for our Task Force for February 13. That's Friday the 13th, next Friday. We will have that committee -- I have the committee 90% named. I will be passing that out to members. I have everyone's suggestions. We have input from everyone. We have State Legislators, State Representatives, Council members, business community, young organizations, PUMP has a representative. I believe we have covered everyone.

We will have that first meeting like I say next Friday. I will be passing it around this afternoon for any input and any changes you may want to make. But the Mayor and

Mr. Ferlo will work with both of us, it was his legislation. I believe, or we have trimmed it down from 40 to low 20's to try to make it a good working committee.

Mr. Ferlo:

Who will be notifying the folks?

The Chair:

I will do it out of my office. Actually we should do that this afternoon.

Mr. Ferlo:

Thank you very much.

The Chair:

I know it took a while. There are a lot of plans floating around. Hopefully we have the draft and we can all put our input into it before it goes any further.

Can I have approval of the minutes?

MR. ONORATO moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to recess the meeting until Wednesday, February 4 after the Standing Committee Meeting.

MS. MCDONALD seconded the motion.

Which motion prevailed.

And on the motion of Mr. Hertzberg, the meeting recessed.

UNFINISHED BUSINESS

(The Reconvened Legislative Meeting of February 3, 1998)

The Chair:

I would like to reconvene the recessed meeting of Tuesday, February 3, 1998.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 98:

Report of the Committee on Finance and Budget for February 4, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 26:

Resolution authorizing the incurring of non-electoral debt for the purpose of providing funds to be applied for, toward and in connection with funding a portion of the City's unfunded actuarial accrued pension liability by the issuance of taxable General Obligation Pension Bonds, Series of 1998, in the aggregate principal amount not to exceed $255,000,000.

Which was read.

Also,

Bill No. 70:

Resolution authorizing and directing the Director of Finance and the City's financial adviser to provide various

information to Council prior to issuance of the $255 million dollar pension bond. **(SPONSORED BY MR. ONORATO).**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called. All those opposed will vote no.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes are passed finally.

The Chair:

Can I have a motion to adjourn?

MR. ONORATO moved to adjourn the meeting.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

And on the motion of Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *February 10, 1998* *No. 6*

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 10, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

All please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

This morning we are honored to have Jessica Babucz, who is in the third grade. She is eight years old at St. Basil's Elementary School. She is in Mr. Ricciardi's District, and she is with her Uncle Walt.

Jessica Bubacz:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

The Chair:

Jesse, we have for you a flag of our Nation and of our City. Mr. Ricciardi, will you please come up?

The Chair:

We have some very special guests in the audience today.

PRESENTATIONS

MR. DIVEN PRESENTS:

No. 99 WHEREAS, the Brookline Cub Scouts Pack 601 has successfully supported young boys in their scouting efforts for the past 32 years: and,

WHEREAS, the Brookline Cub Scouts Pack 601 has assisted in the character development, citizenship training and personal fitness of young boys; and

WHEREAS, the Brookline Cub Scouts Pack 601 teaches young boys the skills necessary to persevere and attain various badges and emblems; and,

WHEREAS, the Tiger leaders, Wolf Den leaders, Bear Den leaders and Weeblos Den leaders and assistant Den leaders and all

of the parents and volunteers who give unselfishly of their time to encourage these young boys to participate and achieve their goals; and,

WHEREAS, the Brookline Cub Scouts Pack 601 will hold it's "Blue and Gold" Banquet on Sunday, February 8, 1998, recognizing and honoring over 50 Cub Scouts for their individual achievements in scouting;

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate all Cub Scouts in Pack 601 and their families for their participation in scouting;

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Sunday, February 8, 1998, "Cub Scout Blue and Gold Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council I am very pleased to have a fairly significant number of employees from the office of the City Controller as well as our friend and colleague the Honorable Tom Flaherty, Controller of the City of Pittsburgh. We also have Dave Sufrin here from the Highland Park Community Club, the original coordinator and the year end coordinator of the super playground. He is going to say a few words. Members of Council, I would like to move the following resolution.

MR. FERLO PRESENTS:

No. 100 WHEREAS, the Highland Park Super-Playground was constructed between April 24th - 28th, 1991, thanks to the hard work, dedication and volunteer efforts of the Highland Park Community Club, hundreds of volunteers, and numerous generous corporate sponsors; and

WHEREAS, the Highland Park Super-Playground is a gem of the City of Pittsburgh's park system and has been used as the prototype for creative children's playgrounds throughout Western Pennsylvania; and

WHEREAS, the very existence of the Highland Park Super-Playground stands as a testament to volunteerism and the cooperation between residents, local government and the corporate community; and

WHEREAS, in order to keep the Highland Park Super-Playground in quality condition, Highland Park Community Club volunteers have annually undertaken an extensive maintenance project; and

WHEREAS, on September 10,1997, during the United Way's "Day of Caring" almost thirty employees from the office of the Controller of the City of Pittsburgh volunteered their time and labors, toiling all day to assist the Highland Park community in performing the necessary annual maintenance on the Highland Park Super-Playground.

NOW, THEREFORE, be it resolved that the Council of the City of Pittsburgh does hereby recognize, commend and

express its sincere gratitude to City Controller Tom Flaherty and Joe Chigier, Vicki Clark, Chuck Durham, Michele Fielder, Mark Gaetano, Carla Gaines, Frank Garnett, Mark Greiner, Kim Hertzer, Louise Horan, Shelley Joyner, Jennifer Keally, Jeff Khadem, Anabell Kinney, Mike Livingstone, Patty Mellinger, Will Miller, John Morgan, Woody Mudd, Gloria Novak, Marla Ondek, John Orsini, Steve Pettler, Tomika Phillips, Kim Platt, Gelena Smith, and John Terlecki, Jr. for their hard work, volunteer spirit and their assistance to the Highland Park Community.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ferlo:

You are probably wondering why this is a few-months late, but between the budget proceedings and trying to get all these folks up here, it took a little bit of time and quite honestly and in a selfish way part of the plot today because we are going to take all these folks to lunch at Jimmy T'sang's for their good work. But I figured I would wait until the early Spring because the United Way Day of Caring this year is again 1998 September 10. So I figured if I waited until March and honor these folks, they will come back and volunteer when the United Way Day of Caring recruit is going around, the first-hands up from the Controllers, are going to be, I want to work at that playground again at Highland Park. On behalf of a lot of these folks, and we will have some of them speak, and I would like to bring Dave Sufrin up here as well as our Controller.

I think all of you know and Councilman Onorato all of them have been very active with the United Way Day of Caring. Councilman Cohen, I go up and down the line and this has been a great opportunity to take advantage of some great labor power. The super playground is a really beautiful amenity not only for the Highland Park Community but other residents who do frequent the playground on a daily basis and throughout the weekend. It is not unusual to see a grade school bus show up at the playground and 20 or 30 grade school kids empty out and play in the park for a couple of hours.

Through the good sense of Dave Sufrin and all those from the Highland Park Community Club, there has been a trust fund that has been ongoing since the annual repairs and maintenance can be made to the park. But it takes laborer power and volunteer spirit. There are folks obviously from the Highland Park Community who help out, but it is really a great honor and a great privilege really for Highland Park to have the commitment of Controller Flaherty and the employees who have volunteered this past year.

We thought it fitting and appropriate to pay some tribute and honor to them today for their volunteer spirit. I think it helps reinforce not only City government but local companies when they allow their employees to participate during the work time on a worthy community project. Obviously it is my selfish hope that the volunteers here, maybe others also, will volunteer to come back again to do this year's annual maintenance routine for the playground.

Before I introduce Controller Flaherty, I would like to ask Dave Sufrin to come up and say a few words. Dave Sufrin

you may know as a business person and resident of Highland Park. He runs a successful office supply company. I don't know how he does it but he spends an awful lot of time on a variety of different Highland Park Community projects. He is one of the key movers and shakers originally with the fundraising and coordination of the super playground being built.

Mr. Sufrin:

I want to thank Jim and Tom and the rest of the staff in the Controller's Office for giving of your time to the Community Club's Playground. As you saw last year, it is really a wonderful place. I encourage you to bring your families, friends and anyone else who has young kids or older kids. It is a nice place.

I really appreciate the fact that you have committed yourself to come out and look forward to seeing you next year, or this year, and many future years as well. I appreciate it.

Mr. Ferlo:

I would like to ask Tom Flaherty to say a few words and then maybe one of the employees on behalf your other colleagues and fellow employees would like to say a few words about your experiences. You probably didn't know I could drive a BobCat all day long.

Mr. Flaherty:

Well, Jim, we certainly are humbled and certainly appreciate this very special day for the Controllers Office. It's great employees. Jim did not say that the reason why we came out in such strong numbers is because Jim used to work in the Controllers Office and we all have such great respect and love for him and that whenever he calls we are certainly there. He's always been a great supporter of the Controller's Office as has all members of Council throughout the years. May I say anytime any member of Council has a special project, please don't hesitate to call. We will do our best to accommodate.

I want to commend Dave Sufrin and the Highland Park Community Club and certainly Mayor Murphy for instituting the Day Of Caring throughout the City and urging City employees to go out and work in our great communities. It was great, refreshing I know for our staff to get away from the mundane responsibilities of accounting and auditing and inspecting to go out and do some real work where it's truly hands on and improving the City of Pittsburgh. Highland Park couldn't be a more wonderful area. It is certainly a mainstay of our City and we are very proud to maintain its integrity and its beauty. We look forward in future years to helping out as I said earlier any of our other great communities. Please feel free to call us. Thank you very much.

Mr. Ferlo:

I know we have shy employees, but is there anyone who would like to say a few words on behalf of all your folks? Was it a good experience? John Morgan is never a loss of few words.

Mr. Morgan:

Thank you very much for the opportunity to speak to you today. I am from East Liberty so it was really nice for me to spend the Day of Caring out there. It is a wonderful park and it is a wonderful

playground. I look forward to doing it again this year. Thank you.

The Chair:

I remember I was in the restaurant business and Jim leaned on me to feed everyone. So without your hard work, Jim, I know it wouldn't have happened. I used to take my young son there; there were people from all over the City that go to visit that park.

Mr. Ferlo:

Thank you very much.

Mr. Hertzberg:

Good morning. We are pleased to have with us a group of school principals from Armenia and they are here visiting and trying to learn more about local government and local schools here in Pittsburgh. We are going to present them with a resolution, and it reads --

MR. HERTZBERG AND ALL COUNCIL MEMBERS PRESENT:

No. 101 WHEREAS, the U.S. Information Agency, in conjunction with the Pittsburgh Council for International Visitors, is sponsoring a visit by eight school principals from Armenia, located in the former Union of Soviet Socialist Republics, (USSR); and,

WHEREAS, the Armenian visitors are here in the United States as part of an educational tour to learn how local government is organized, how the election process is conducted, and American culture; and,

WHEREAS, the Armenian group will visit Pittsburgh City Council on Tuesday, February 10th to examine the legislative process at work. In addition, the group will participate in a site tour hosted by the League of Women Voters;

WHEREAS, the distinguished group is also interested in the role of young people in society. Representatives from the Mayor's Youth Policy Department will discuss the City's Police Department and their youth outreach programs. The Armenians will also tour Oliver and Carrick City High Schools to examine how the school system teaches and encourages students to become active participants in society; and,

WHEREAS, the theme of this historical visit is Civics Education, A Freedom Support Project for Armenia.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh welcomes the following visitors: Ms. Rima Alaverdian, Mr. Martiros Boghikian, Mr. Gagik Hahobian, Ms. Mariam Hovhannisian, Mr. Hamazasp Khatchaturian, Mr. Kamo Lalayan, Mr. Aram Safarian, and Ms. Yasha Sahakian. Our guests are accompanied by United Escort Interpreters Ms. Anig Kltchiaon, Ms. Inna Malyushev and Ms. Zaroui Pogossian.

BE IT FURTHER RESOLVED THAT the Council of the City of Pittsburgh extends good will to our guests as they travel throughout the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.
MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Councilman Cohen and myself met earlier today and tried to brief these school principals on City Government as well as the public schools operations. What I would like to do is hear from one of the members of the delegation and then from Councilman Cohen and a translator as well.

Ms. Speaker: (With Zaroui Pogossian translating)

I would like to thank you for this great honor on behalf of the rest of the group for being here. Today's invitation will consider as an expression of good will from the American people to all the countries of the world and specifically to our homeland, Armenia. We are delighted to see your country and we admire your country. We wish you success for the rest of the time and hope that we can cooperate in the future. Let God be with you and thank you.

Mr. Cohen:

I just wanted to welcome all of you to our City and to thank you for coming here. Councilman Hertzberg and myself and the entire City Council welcome you to Pittsburgh, which is an international City.

We had a fascinating discussion this morning and we -- I learned as much about your culture I think as you learned about ours. But one thing that we all share is that there is nothing more important than the education of our children. So thank you all very much and just to my Council colleagues I want you to know that we did not discuss charter schools, neighborhood schools or tuition vouchers. Thank you very much.

Mr. Hertzberg:

Last I want to present the principals with copies of this resolution that we just read.

The Chair:

Thank you all very much.

MR. UDIN AND MS. MCDONALD PRESENT:

No. 102 WHEREAS, Urban League Sunday is annually observed by all of the National Urban League affiliates on the second Sunday of February; and

WHEREAS, Urban League Sunday is observed today, February 8, 1998, by the Urban League of Pittsburgh, Inc.; and

WHEREAS, for 80 years the Urban League of Pittsburgh, Inc. through its programs and services has consistently made a positive impact on improving the quality of life for thousands within the Greater Pittsburgh community; and

WHEREAS, the Urban League of Pittsburgh, Inc. continues to be a staunch advocate for equality among the races, and consistently administers programs and services to those in need; and

WHEREAS, the Urban League of Pittsburgh, Inc. and the religious community share common goals in serving the community;

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh declares the second Sunday in February, hereafter, to be Urban League week in the City of Pittsburgh.

MR. UDIN PRESENTS:

No. 103 WHEREAS, Pastor, anointed preacher of the gospel, Bishop Gordon Edward Vaughn answered his call into Ministry in 1942; and

WHEREAS, on December 14, 1942 Bishop Charles H. Mason, appointed Bishop Vaughn to pastor the First Church of God in Christ; and

WHEREAS, in 1954 Bishop Vaughn was consecrated State Bishop of Western Pennsylvania where he ordained many young ministers, appointed many pastors, and dedicated many new churches; and

WHEREAS, in the early 1990's he proposed to build a new church at 2502 Centre Ave. Pittsburgh, PA and on December 3, 1997, he was made Bishop Emeritus of the First Jurisdiction of Western Pennsylvania, Church of God in Christ; and Pastor-Emeritus of the First Church of God in Christ in Pittsburgh.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh joins the Church of God in Christ Church family in honoring Bishop Gordon Edward Vaughn for his outstanding accomplishments and invaluable support to the community.

Also,

No. 104 WHEREAS, On Friday, February 6, 1998, the Friends of the Martin Luther King, Jr. Reading Cultural Center will hold a Retirement Reception honoring the Centers Director, Mrs. Daisy Reed; and

WHEREAS, Mrs. Reed has been associated with the Reading Center since its inception, serving as its director and advocate in the immediate and larger communities, fostering its interests through her involvement on numerous community-directed task forces. Mrs. Reed joined the staff in 1970 and contributed to the Center's growth and success. Two years later, aware of the need to broaden support for the Center and its activities, Mrs. Reed formed an Advisory Board which in time evolved into the support and fund-raising group known as The Friends of the Martin Luther King, Jr. Reading Center; and

WHEREAS, a long time resident of the Hill District, Mrs. Reed has been tireless in her dedication to all aspects of the community. She is a member of the Pittsburgh Branch NAACP, the Advisory Board of Martin Luther King, Jr. Cultural Center Inc., Board of directors of Community Action Pittsburgh, and has served as a member of the Hill District Consensus Group, Pittsburgh Public School Desegregation Committee, and numerous other community groups; and

WHEREAS, Mrs. Reed is a faithful and active member of Wesley Center A.M.E Zion Church. For 10 years she served as Director for the Youth Choir and has taught Sunday school for 25 years. Mrs. Reed served as Youth Director for Community Action Pittsburgh for four years. She was one of the founders, and director of a youth group better know as the "Penny Pinchers." For ten years she worked with over 30 young people as their Mentor, Foster Mother, Advisor and Caretaker. Under her leadership, encouragement and many prayers, these adults today can be seen throughout the community as Educators,

Attorneys, Banking Officials, Engineers, Entrepreneurs and even one Minister.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends Mrs. Daisy Reed for her years of hard work, dedication and invaluable support the Pittsburgh community.

MR. UDIN moved to adopt the resolutions.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now moving to presentation of papers.

MR. COHEN PRESENTED:

No. 105 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12, by changing from "R4" Multiple-Family Residence District to "R2" Two-Family Residence District all that certain property located along the northerly side of Fifth Avenue between South Negley Avenue and Maryland Avenue, 7th Ward. **(SPONSORED BY MR. COHEN)**

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. DIVEN PRESENTED:

No. 106 Resolution Providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, not to exceed $500,000.00 chargeable to and payable from Code Account Community Development, Peoplesoft Fund 2610, Organization 274300, Appropriation C1998, Year 1998, Project 2210011, Account 526500, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

No. 107 Resolution Providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, not to exceed $600,000.00 chargeable to and payable from Code Account Capital Project Funds, Peoplesoft Fund 5100, Organization 274300, Appropriation PGHPR, Year 1998, Project 2210011, Account 526500, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 108 Resolution repealing Res. No. 475, approved August 1, 1997, entitled, "Resolution providing that the City of Pittsburgh enter into a professional services contract/s with the Pennsylvania Economy League, Inc. for the purpose of providing consulting and advising services, at a cost not to exceed $75,000." **(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance and Budget.

No. 109 Resolution Providing for an Agreement or Agreements, or use of existing Agreements for the Design of the Replacement of the Allegheny Park

Pedestrian Bridge; and providing for the payment of the costs thereof, not to exceed $50,000.00 chargeable to and payable from:

Acct. 6000000, Fund 5100.ORG 301000, Sub-Class PGHPR, Project/Grant 2248890, Budget Year 1998.

Which was read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 110 Resolution Amending Resolution No. 1383, approved December 30, 1980, effective December 30, 1980, as amended by Resolution No. 1180, approved December 27, 1979, effective December 31, 1979 entitled "Authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania, providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City limits", by designating that all such reimbursements received from the Pennsylvania Department of Transportation shall be deposited into the Liquid Fuels Tax Trust Fund.

No. 111 Resolution Granting unto The Buncher Company of 5600 Forward Avenue, Pittsburgh, PA 15217, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, an aerial encroachment and sub-surface encroachment at 13th Street between Penn Avenue and Smallman Street, extending to 14th Street, 2nd Ward, 6th Council District of the City of Pittsburgh.

No. 112 Resolution Granting unto The Department of Engineering and Construction, City of Pittsburgh, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, concrete steps and ramp along front of building on Dartmore and a two-story elevator tower with attached room on Englert side, 32nd Ward, 4th Council District of the City of Pittsburgh.

No. 113 Resolution Granting unto Seddon and Frances Bennington, their, successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, 2 Banner Signs and 3 Canopy/Awnings on Liberty Ave. in the 2nd Ward 6th Council District, City of Pittsburgh,

No. 114 Resolution Authorizing the Director of the Department of Public Works to provide a license agreement with Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, Pennsylvania 15230 to install one pole on City owned property along Windom Street in the 17th Ward 3rd Council District of the City of Pittsburgh.

No. 115 Resolution Vacating a portion of Allequippa Street from Whitridge Street to westerly terminus, 5th Ward, 6th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. ONORATO PRESENTED:

No. 116 Ordinance amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Chapter 255, "Realty Transfer Tax", Section 255.01,

"Definitions", and Section 255.03, "Exceptions", by creating exceptions for certain transfers involving living trusts, transfers between brothers and sisters and their spouses or transfers between a grandparent and a grandchild or the spouse of a grandchild, by eliminating the 90 day limitation on transfers between persons who were previously husband and wife, and by requiring that certain subsequent transfers made within one year be subject to tax. **(SPONSORED BY MR. ONORATO)**

No. 117 Ordinance amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Chapter 256, "Home Rule Realty Transfer Tax", Section 256.01, "Definitions", and Section 256.03, "Exceptions", by creating exceptions for certain transfers involving living trusts, transfers between brothers and sisters and their spouses or transfers between a grandparent and a grandchild or the spouse of a grandchild, by eliminating the 90 day limitation on transfers between persons who were previously husband and wife, and by requiring that certain subsequent transfers made within one year be subject to tax. **(SPONSORED BY MR. ONORATO)**

Which were read and referred to the Committee on Finance and Budget.

MR. RICCIARDI PRESENTED:

No. 118 Resolution Transferring the amount of $15,000.00 from Account 525900, Organization 999200, Sub Class 150, Miscellaneous, Citywide Non-Departmental to Account 511000, Organization 106000, Sub Class 010 Salaries, City Controller. Budget Year 1998. **(SPONSORED BY MR. RICCIARDI).**

No. 119 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $525,000.00 for the Allequippa Terrace Project (Council District 6). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 120 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $1,450,000 for South Side Riverfront Development (Council District 3). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 121 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $300,000.00 for the Lawrenceville Shopping Center Project (Council District 7). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 122 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $1,500,000 for the Downtown Cultural District (Council District 6). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 123 Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pittsburgh Housing Development Corporation for the Sale of Block 174-J, Lot 346, in the 13th Ward of the City of Pittsburgh, in Redevelopment Area No. 34

(Council District No. 9 - 802 North Lang Avenue - Residential Rehabilitation). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 124 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in 14th Ward of the City of Pittsburgh (Council District No. 5 - Site Assemblage):

14th Ward, 128-N-28, Fernwald Street; 14th Ward, 128-N-30, Fernwald Street. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 125 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by the Bedford and Crawford Associates and designated as Block and Lot Numbers 9-S-148-2A, 148-2B, 148-2C, 117, 129, 130, 131, 132, 133, 119, 123 and 124 in the Deed Registry Office of Allegheny County. (Gilmore Street and Peach Way - Council District Number 6). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 126 Resolution PROVIDING for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 127 Providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 128 Communication from Stanley Lowe, Executive Director of the Pittsburgh Housing Authority, submitting a list of the names, positions and salaries of all employees of the Housing Authority as of December 341, 1997.

No. 129 Communication from Linda M. Johnson-Wasler, City Clerk, submitting the third and fourth quarter travel reports of 1997 from various city departments.

Which were read, received and filed.

MR. FERLO moved to receive and file.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair:

Under unfinished business we have three reappointments to the NBE, WBE Committee and we have a veto vote on Bill

12.

MR. O'CONNOR PRESENTED:

Bill No. 82 Resolution authorizing the Re-appointment of Andrew Hughey as a Member of the Minority and Women's Business Enterprise Review Committee, term to expire April 30, 2000.

Bill No. 83 Resolution authorizing the Re-appointment of Earl Hord as a Member of the Minority and Women Business Enterprise Review Committee, term to expire April 30, 2000.

Bill No. 84 Resolution authorizing the Re-appointment of Sandra Rosen as a Member of the Minority and Women Business Enterprise Review Committee, term to expire April 30, 2000.

MR. UDIN moved to adopt.

MR. FERLO seconded the motion.

Which motion prevailed.

No. 130 Communication from Tom Murphy, Mayor, City of Pittsburgh, returning with his veto on Council Bill No. 12 entitled: "An Ordinance amending the Pittsburgh Code, Article III, Organization, Chapter 111, Departments Generally, Section 111.01, Establishment; Rules and Regulations; Organization and Control, and Chapter 116, Dept. of Public Safety, Section 116.01, Director as Head to provide for Council confirmation of Chiefs in the Department of Public Safety, pursuant to Section 209 of the Pittsburgh Home Rule Charter."
Which was read.

MR. FERLO moved to override the mayor's veto.

MR. RICCIARDI seconded the motion for discussion.

Mr. Ferlo:

First of all, I think this is much to do about nothing at least in terms of the Mayor's veto action and his response. I will note that we received a letter from the Mayor and the administration vetoing this ordinance. We did not get a legal opinion or statement from the Solicitor.

The basic purposes of the ordinance which was unanimously supported by Council and by the way this was not rushed through Council. It was introduced, it came up for discussion twice in a Wednesday Standing Committee Meeting. Like the other three bills that we have introduced which have been at the table at least three times now making some other changes, proposed changes, and cleaning up the code as it relates to Bureaus that no longer exist and departments that no longer exist, it would be nice if the administration would just come to the table and react and discuss.

The main point of the ordinance and the intent and myself I believe Council support is that under the Home Rule Charter, Section 209, it makes it clear that the Mayor shall appoint the heads of all major administrative units subject to the approval of Council. The heart and the intent of this ordinance that I introduced, which was unanimously approved by Council, is that in the future, when and if there is a replacement for a major unit of government meaning the head of the police bureau, police chief, the fire, the EMS, the paramedics bureau, EOC, the operations 911 system or BBI, pursuant to Article 209 of the

charter and it is Council's intent and desire to confirm the appointment of any acting bureau chief for director or whatever the administration ends up calling that individual. That's the heart and sole of the intent of what the ordinance did.

I do not believe, and I think it is playing with words and semantics for the Mayor and the administration to use another section of the Charter that says this is a revision. This ordinance only confirmed what the Mayor himself already did at least a year ago and that is eliminate the so called director of the Public Safety Department. The mayor himself eliminated that position and this bill makes mention of that. It's not a major creation or revision of a unit of government.

So, I would suggest that we override the veto today. But that in the spirit of just cooperation and trying to get along with the administration, and not fight over something that I don't even understand what their issue is, that we override the veto today and reintroduce an ordinance. If we want to refer for their reaction for 30-day comment period, I have no objection to that.

We have three other bills that are up on the table tomorrow that have been up for the last two Wednesdays, Bill 63, 64 and 65. This came out of the discussion relative to the issue Council President O'Connor raised of having not an acting director being there for forever. Also there was a thing about the fact that we don't even have an Environmental Services Director any more. The Ordinance 64 would change that and put the duties under the Public Works Director.

It is cleaning up the code and making it what the current reality of administratively of our own City Budget. Also the issue of the fact that we don't have a Department of Water any more, those three ordinances are up again tomorrow for discussion.

I would suggest pursuant to the Mayor's expressed concern that tomorrow when these three bills come up we immediately refer them for a 30 day comment period even though we have asked them for the last 15 to 18 days to come to the table and talk about it. But on this since this is already an action since the substantive article here is Article 209, which explicitly gives under the Home Rule Charter the power of Council to confirm the major units of government. If the police chief, which is the biggest single budget in City Government, is not a major unit of government, I don't know what is. That was really the intent. I would like to respectfully ask that we vote to override and we introduce an ordinance and allow the Mayor a 30-day comment period.

The Chair:

Just for the record, you did hold that one week, I think there was a misunderstanding that it was not railroaded through.

Mr. Ferlo:

I didn't waive Rule 8 and it was held for more than one Wednesday.

No one came to the table to react to it.

Mr. Ricciardi:

I take vetoes very seriously because I think it is very important to have a working relationship with the administration. However, I think the process and the

dynamics is also very important when it comes to the legislative process. Sure things slip through, however there is just no excuse for it. This bill was not in anyway railroaded through this body. There was plenty of time for discussion. No one from the administration joined us at the table.

I think we should override the veto. Matter of fact, I think Mr. Ferlo's even offered somewhat of a comprise. That is, if need be, after we override the veto, we could bring it back up and ask their opinion according to the charter. Even though I don't believe it is a change in the governmental structure, Mr. Ferlo.

But I think the Bill is very clear-cut. It's gone through the channels of government. If we need to override the veto, if we don't, we are basically saying we don't even have respect in our own deliberations and we have deliberated over this. So, I am voting with Mr. Ferlo on this.

Mr. Udin:

I have a question as to whether or not the administration accompanied their veto with a letter explaining their point of view? Can I see it?

The Chair:

I believe it was the 30-day stipulation that was their concern.

Mr. Udin:

Thank you.

Mr. Hertzberg:

I am going to vote to override this but only since Mr. Ferlo has agreed that he will reintroduce the legislation. We are left with no choice here. If we don't override the veto, then in fact the legislation is vetoed and it is dead in the water. We have no choice in order to keep it alive and in order to even have the discussion that the Mayor's Office apparently wants to have on this. We have no choice but to override this.

I would not want to get into the legal issue of does this fall under the Home Rule Charter provision requiring the 30 days or not. Let's just reintroduce it, assume it does fall under that provision and wait the 30 days have any discussions we need to have and hear back if there are some concerns in the Mayor's Office. Let's hear what they are over the next 30 days. We have no choice but to override the veto now and then reintroduce it and do the 30-day requirement.

The Chair:

I think that's a very good compromise.

Mr. Cohen:

I think the important thing is that we have some dialogue with the administration and find out exactly what it is that concerns them about this. I read the letter from the Mayor's Office; it is really a procedural letter. It doesn't get to the substance of the issue as to why the administration might be opposed to this. I have in the past heard reasons for having a Public Safety Director even if there isn't somebody who actually exercises that full authority. One of those being that Federal funds might be available when you have a Public Safety Director as opposed to when you don't. That's the kind of thing I would like to hear from the administration if in fact that is what their problem is, I just don't know.

If this is a means of getting that dialogue with the administration, I do believe that the Mayor has the right to organize the Executive Department, but then let's get that dialogue.

Mr. Ferlo:

Just to make one clarification. This bill, I never eliminated the Public Safety Department. The only thing we did was eliminate something that the Mayor himself eliminated and that's a so called Director of Public Safety, the employee position. We have not changed the Code of Ordinances as it relates to a so-called Department of Public Safety.

In the operative impact of the original bill was what I will reintroduce today so we have both sides covered, is that Council wants to confirm that any future chief that is appointed to police, fire, EMS, EOC and BBI, that's really the operative.

The Chair:

And this entitled them to come to the table given the benefit of the doubt that they did not. I think they missed it. Let's give them an opportunity to come to the table.

Mr. Cohen:

I didn't know if I was misunderstood there, I didn't say that this bill eliminates the Public Safety Department, what it does do at least in the law, it eliminates the Public Safety Director. It says where director used to exist; now you replace it with the word chief. There maybe some financial reasons to having a director on the books. If so I would like to hear that.

Mr. Onorato:

I supported this bill when it first came up. I want to add to the conversation that Councilman Ferlo's Office and staff person was very courteous in taking my suggestions that this bill was held and came back with several amendments, which I thought were healthy amendments that his staff person drafted based on comments that I made. I appreciate that.

I continue to support the bill today. The bottom line, the way I view the whole thing, is that if you are talking about the Director of Public Safety, which we have the power to confirm. We don't have one now, we don't have a Director that is, we are just asking to confirm the individuals that are in charge of a department. That is two-thirds of the City's budget if I can remind my colleagues. It is a proper function of this body. I don't see it as a threat.

It is not a reorganization of the Executive Branch. If anything, I have been here six years and I still haven't seen one nomination not confirmed. We take that very seriously. For somebody to be rejected, there has to be a pretty strong argument or cause for them to be rejected, six years with never rejecting a nominee I think that shows you we are giving the Mayor the Executive power that comes with the office and that his prerogative to put his people into place.

But the difference here and the way I view this is instead of confirming one individual who oversees two thirds of the budget, it really is being broken up into three individuals that oversee two thirds of the budget. I would believe that the three individuals that are there now would fly through a confirmation proceeding. I think it is just cleaning up what has actually been

taking place. So, I support the bill.

Ms. McDonald:

I like wise; I had no intention of reconsidering this bill that we deliberated. We have made a decision and it pulls Council into the process of making sure that the City is managed properly, that we know and have some input and say on whose in charge of the largest in terms of personnel, cause the largest departments is Public Safety.

I don't see what the problem is. I am not going to go along with a veto just for procedural reasons. I agree with Councilman Cohen that I did not see any substantive issues. But if there are some substantive issues involved then we can, the administration can always ask for an amendment. They can introduce some type of changes.

I say if they don't like this, let this be a boilers plate. Let's go ahead and make a structural change in how we do business, the Mayor and City Council as far as department heads. If there is any tightening, cleaning up or whatever then introduce the amendments afterwards. But I don't want to get into some power play as far as Council and the Mayor's Office. I think we are supposed to work together, and I commend Councilman Ferlo for sponsoring this legislation and introducing it as well as President.

The Chair:

Can we have a role call vote, please?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Motion is passed to override.

The Chair:

Anything else under unfinished business?

Mr. Hertzberg:

I am sorry if this motion wasn't made already I am not sure what is being cable cast, and what isn't. But I would ask that this Thursday's Public Hearing on Pennsylvania American Water, Pittsburgh Water and Sewer Company be cable cast.

MR. UDIN seconded the motion.

Mr. Ricciardi:

I support that motion. My concern is that when I did check the City Clerk's Office that last week there were no speakers that had signed up to speak at the Public Hearing. This is just an important Public Hearing. I want to make sure we are doing all we can to reach out to the community. Especially to the community of South Hills that will be affected directly, but also the other communities there effected directly through subsidizing water rates.

Maybe we could, Mr. President, if you could look into and work with Mr. Cohen, Mr. Cohen I realize it's your

committee. If we could have some announcements or public service announcements over the cable cast, cable television regarding the Public Hearing coming up. I just find it so difficult to believe that not one speaker would sign up for this to date.

The Chair:

Has there been any notification to any community groups or senior groups?

Mr. Ricciardi:

Probably not and only because usually the word just gets out. But for some reason I don't believe the word has gotten out. So we might want to consider and I don't want to throw a monkey wrench into this discussion, we might want to consider postponing this Public Hearing for a week or two. Why have a public meeting without input from the community?

Mr. Cohen:

Mr. Ricciardi raises a good point. I know our Public Hearings are advertised over our cable channel. But perhaps Councilman Ricciardi and Linda Johnson-Wasler and myself should sit down and perhaps we could have more advertisements up than what has been currently existing.

I do know we are required by law to advertise our public hearing, but maybe we should put them in a heavier rotation so people see them more often.

Mr. Ricciardi:

Maybe as Mr. O'Connor stated regarding Community Groups, when it is definitely a community issue that we should reach out to the neighborhood groups and their news letters and even parishes and synagogues across this area.

The Chair:

If you and Mr. Diven and Mr. Cohen since it covers your areas want to make a decision. Does that include you, Mr. Hertzberg? I am sorry.

The whole south of river, is that in the West End too?

Mr. Hertzberg:

Absolutely.

The Chair:

It's a very important issue. You may want to postpone this hearing. I will leave it up to you to discuss it.

Mr. Ricciardi:

Let me ask, Ms. Wasler, last week there were no speakers, did you check the roles this week? Are there any speakers? Maybe do that and by the end of the meeting we can make a decision, because I think we have to make it quickly.

Mr. Ferlo:

Most people including the calls that I got in my office are not aware what this proposed resolution actually is and does. After explaining it to people, they better understood it. While the resolution is on the table Mr. Ricciardi could please correct me, caps the payment that City Government Municipal Operating Budget would pay back to PWSA for the burden of the increased rate by Pennsylvania American Water. It is

also inconceivable that at some point we may just take away that subsidy and that burden would even be greater to the ratepayer's south and west of the river.

I would suggest that there be a little more affirmative notification. That we at least follow some -- dictate similar to the Pittsburgh Water and Sewage Authority Board. I believe at least with Alcosan there is a notification in the bill if there is going to be a change at some point. Now this is a little bit different way of getting a change.

But maybe we should air on the side of proper notification and have the Public Hearing at sometime in April after we have enacted the next bill that people get and notify those rate payers south and west of what is potentially going to be a rate increase for them. We would do that normally if there was going to be a rate hike for every other rate payer, if I am not mistaken.

The Chair:

This will be a rate hike. I will leave it for you.

Mr. Hertzberg:

Just a couple of comments to keep in mind. This actually came up on our agenda last year and I called for a Public Hearing last year at a time when our schedule was very crowded with the budget and a lot of other matters. So we actually have already postponed this Public Hearing from last fall to this year.

I did take the step of notifying Community Groups within Council District Two, but unfortunately that was just done yesterday. Whatever the wishes are of the rest of Council, I can understand where there doesn't seem to be the message getting out there. It is kind of hard for people to understand what this is all about.

Whatever the will is, but just keep in mind that we have already postponed this a couple of times.

The Chair:

I will let you consider that because one of the things a Public Hearing and Post Agenda may do is draw out the light of the issue, to bring attention to it. I will let the three of you decide whether you are going to continue it or postpone it.

While we are on Public Hearings, I have scheduled a Public Hearing on Bill 69, Nine-Mile Run, which is a major issue for Tuesday March 10, at 2:00. I would like a motion to have that televised.

MR. ONORATO moved to adopt the motion.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Anything else under unfinished business?

Reports of Committee.

Mr. Hertzberg:

Just a point of procedure. I think there is some concern if we are going to have this meeting, I don't know if we officially had a vote. If we are going to have this meeting Thursday, this Public Hearing

that it be cable cast.

MR. FERLO seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 131:

Report of Committee on Finance and Budget for February 4, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 49:

Resolution providing for an agreement or agreements or use of existing agreements, with the County of Allegheny to provide outgoing mailing services for the City of Pittsburgh on an annual basis, at a total cost not to exceed $460,000.00 per year, subject to annual budget appropriation, chargeable to and payable from Code Account No. 51, Departmental Postage, Department of Finance, Index Code 005108, Account 525900, Fund 1000, Organization 999200, Sub-Class 150, Budget Year 1998.

Which was read.

Also,

Bill No. 71:

Resolution providing for the issuance of various warrants pursuant to the Commonwealth of Pennsylvania, First Party Benefits statute, the sum of which is not to exceed $5,000.00 for payment to various health care providers in settlement of a claim in which a confidential informant was being transported by City of Pittsburgh Police in a marked police cruiser, which was involved in a collision with a third party on June 19, 1997, and where said informant sustained personal injuries.

Which was read.

Also,

Bill No. 72:

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for any and all expenses associated with the purchase of computer equipment, software, communications equipment, development of software, professional services, training services, and maintenance in conjunction with the Consent Decree Implementation.

Which was read.

Also,

Bill No. 73:

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) for Information Systems Modernization to include upgrades to the City's existing information system infrastructure for the Year 2000 Compliance and completion of the Financial System for the purchase of equipment, communication, hardware,

software, training, professional services, and maintenance.

Which was read.

Also,

Bill No. 74:

Resolution providing for the Conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 687 Margaret Street, 33rd Ward, Block 32J, Lot 60, being sold to Regina McClain, $11,201.99. 2 sty. brk. veneer hse. & addn. & 1 sty. c.b. gar. situated on a lot containing an area of 12,274 sq. ft. Mt. Oliver Borough.

(B) 2505 Perrysville Avenue, 26th Ward, Block 46F, Lot 54, being sold to John Rush, $2,001.00. 2 ½ story aluminum siding house and 2 car garage situated on a lot containing 3,132 sq. ft. District 1.

© 2901 California Avenue, 27th Ward, BLock 44D, Lot 229, being sold to John Rush, $3,251.00. 2 story frame and aluminum siding house situated on a lot containing 1,700 sq. ft. District 1.

Which was read.

Also,

Bill No. 75:

Resolution providing for the Conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) 523 N. Aiken Avenue 10th Ward, Block 50H, lot 184, being sold to Louise Robinson, $100.00. Vacant lot containing an area of 2,200 sq. ft. Council District 7.

(B) 492 Sterling Street, 16th Ward, Block 13C, Lot 384John T. & Laura Boehm, $100.00. Vacant lot containing an area of 3,233 sq. ft. Council District 3.

(C) 1024 Fritz Street, 17th Ward, Block 3R, Lot 102, being sold to Edward F. Jacob, Jr. Vacant lot containing an area of 2,742 sq. ft. Council District 3.

(D) 634-636 Curtis Street, 19th Ward, Block 15F, Lots 126 & 127, being sold to Sandra L. Gehring, $200.00. Vacant lot containing a combined area of 2,234 sq. ft. (1,676 & 1,558 sq. ft.), (Council District 2).

(E) 744 Straka Street, 20th Ward, Block 41-C, Lot 256 (pt.), being sold to Jeffrey P. Briggs, $100.00. Vacant lot containing an area of 2,500 sq. ft. (Council District 2).

(F) 4445 Whitebush Street, 31st Ward, Block 90-S, Lot 217, being sold to Helen C. Ostrowski, $100.00. Vacant lot containing an area of 2,788 sq. ft, Council District 5. Intended Use: Additional yard space..

(G) 720 Portland Avenue, 11th Ward, Block 83B, Lot 286A, being sold to Thomas F. & Joanne M. Naylor, $100.00. Vacant lot containing an area of 981 sq. ft., Council

District 9. Intended Use: Additional yard space.

(H) 11-13 Hodge Street, 4th Ward, BLock 29B, Lot 74 & 75, being sold to Paul J. & Ewa Wieckowski, $200.00. Vacant lot containing an area of 4,932 sq. ft., $200.00. Council District 6. Intended Use: Additional yard space.

(I) N. Craig Street, 5th Ward, Block 26, Lot 84, being sold to Mohamed N. Basher, $100.00. Council District 6. Intended Use:

Which was read.

Also,

Bill No. 92:

Resolution authorizing and directing the Mayor and the Director of the Bureau of Information Systems, and the City Clerk, City of Pittsburgh, to advertise for proposals and to award and enter into an agreement(s), professional services agreement(s), and/or contract or contracts for the design, development and implementation of a legislative tracking and information management system for the City Clerk's Office to include the purchase of computer equipment, supplies, communication, hardware, software, training, and maintenance. **(SPONSORED BY MR. UDIN).**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Onorato:

I have discussion on two bills. If the will of the body is to recommit them, that is fine. If not I will just vote no today. Since last Wednesday I was doing some thinking about these bills, and it is Bill 72 and Bill 73. I am not suggesting if there is anything wrong with them but over the years the amount of money that we allocate to CIS with very little detail and I am starting to get a little nervous about that.

For example, these two bills total $1,465,000. That's almost a million and a half and they are very generic bills just saying for professional services, for contracting and they both say they deal with consent decree.

I am not trying to derail any of the issues involved. But the point is, as a fiduciary elected official, and my fiduciary duties as an elected official a million five, I have seen us pick apart $10 thousand contracts a lot more than we do the million five.

Maybe my colleagues have more information than I do, I just don't feel comfortable transferring this kind of money away from us when we don't have any more input at this point. So, if the will of the Council before, I am going to vote no. If people feel the way I do, I would be more than happy to recommit the bill.

Mr. Cohen:

I agree with Councilman Onorato. I have also been thinking about these bills. They're just a tremendous amount of money. Remember three years ago we allocated $7 million for the Unisource Project. This is a million half dollars more than that, so we are up to about eight and a half million,

which is close to 3% of our entire budget is being spent on computer services.

Don't get me wrong, obviously we need to have efficient computer services. But I feel that we need more information before we vote for this additional million and a half. In particular we are going to be spending over a million dollars. We have 900,000 in today's bill, but Director Schmitt said that there will be another bill coming over a million dollars to convert our computer -- to be able to put the year 2000 into the computer, over a million dollars.

The year 2000 problem is a problem that is being addressed by every company of significant size, every organization of significant size. It seems to me, and I am no expert in this area, that we should wait until those companies have solved this problem and then use that expertise to apply to our own computer system. Maybe it won't be over a million dollars. Heck, it is probably cheaper to change the calendar than it is to spend over a million dollars to solve our year 2000 problem. So at least for me I think we need to get more discussion with the director before we can vote on this kind of mammoth expenditure.

Mr. Hertzberg:

If you remember from last Wednesday's meeting we had lengthy discussion about the Pension Bond issue which was speaking of large numbers, about 25 times as large. Director Schmitt I guess walked in the room about five minutes after his bill was called and informed me that it was urgent. He waited around during the two-hour discussion on the Pension Bond issue because of concerns with moving us.

My recollection on the year 2000 is that Mr. Cohen and maybe your number is right, but my recollection is that the sum was much lower than a million on that. In fact, it seemed like a bargain when it was compared with what private industry is paying for that same problem.

Mr. Cohen:

That bill is $900,000.

Mr. Hertzberg:

That's only one component though. My recollection is that it was in the hundred thousand range of expenditures for the year 2000 problem.

MR. FERLO moved to recommit.

MR. ONORATO seconded the motion.

Mr. Udin:

Last week you will recall that the Director was at the table. Previous to Director Schmitt coming to the table he had presented to Council a rather detailed breakdown of the expenditures that were to be included in both of these bills. The $460 thousand that is being appropriated for the conversion of the year 2000 problem, you better hold on to your seat belts, this is just a part of what we will have to spend. There are other organizations, universities and companies that are spending four, five and $6 million to correct this problem. The later we wait, the more it will cost us.

Then it's not a question of technology. The technology has been developed. There are several different technological oppositions that we can choose from. The Director has testified that he has chosen the most cost-effective option

that is available to us. I don't think the problem is here, Mr. President, is with the amount of money that is being appropriated, I think the problem we have is that is the way Council appropriates money for contracts, that's what the problem is.

We do the same thing with the Department of Engineering and Construction. We appropriate huge sums of money and then we don't have them come back to us after we appropriated with the specific contracts that we proposed to let and have us take a look at exactly what it is that is being expended. We just appropriate the large amounts and we never see it again.

It's my intention to come forward with some legislation that changes that because I do not believe that we are exercising our fiduciary responsibility to just appropriate large sums of money but never review the specific contracts.

Councilman Ferlo had introduced some requirement that got us a step closer to it when he put certain criteria in the tax increment finance proposals. So before the URA comes -- actually let's a project go, they have to come back to Council with the contracts and demonstrate to Council that all the criteria that we put into the TIF contract have been implemented. We need to do the same thing with all the City contracts.

So it is not with the amounts that is being appropriated for the year 2000 that's $460,000. If we get away with that for the total amount we have to spend for that, we are darn lucky. The rest of it has to do with the hardware, software and training that is required for the consent degree.

So the department has been forthcoming with the detail. We just have to follow up after we appropriate it and continue to monitor the contracting as the charter requires us to do.

Mr. Ferlo:

I am very pleased to hear Councilman Udin's explanation just now. Because I am going back at least ten years and through three Mayor's, I have tried at different times over the last decade to ask this Council to change its procedures. I have long felt and have argued and have actually submitted bills in the past that never got anywhere. I don't think most colleagues were either sympathetic or didn't fully understand what I was talking about. But I see a change of heart now.

I have always argued that when you have these big contracts and instead of giving the authorization to let out the RFP and also give at the same time the actual authority for them to sign and execute that contract, that we are giving away our review power and our input into these many and various professional service contract agreements.

I would love if Council, now on a District Council System and with its development majority and desire, have much more input and control, while still respecting the executive branch powers. For instance, the bills that are here today we can easily take out to award and allow the administration to go out and develop the RFP and put out the bid information and then they come back to us with an actual award that they are planning to execute where we can engage in what the actual scope of services and all the other work is going to be.

I don't think we can address that right

now but to the extent that colleagues are now willing to do that, I think that's great. I think we should do that. I think we should allow the administration to go out and develop the request for proposal for various professional service contracts, but I don't think the same resolution that we allowed them to go out should be the same resolution that defacto gives away and approves our power to enter and actually sign the contract.

My motion to recommit is I heard three colleagues with unreadiness on the motion. So as a practical matter, I want to make a motion to recommit. But tomorrow, I would hope we talk about the substance of this bill and also embellish Councilman Udin's point about Council's powers and prerogatives.

The Chair:

To address Mr. Hertzberg's concern, I have asked to call CIS to see if one week will hurt this contract, if not we can recess today's meetings.

Mr. Hertzberg:

Why don't we just recess today's?

The Chair:

Presuming we take your motion and recommit for tomorrow if they need it we can recess this meeting and final vote tomorrow.

Mr. Ferlo:

Just on that point, Mr. President. It is your prerogative and other colleagues, but I don't like being rushed by the administration. They do things in months, but when they come to us, it is like you have to do this tomorrow. I don't think it is unrealistic or unfair for us to have further discussion on this bill. We are talking about a several month process where they have to let out an RFP.

The Chair:

I am agreeing with you. Although last week's meeting took about two hours on the $250 million bond.

Mr. Ferlo:

I don't need Director Schmitt's two cents about whether or not I feel uncomfortable --

The Chair:

Councilman Hertzberg seems to think there is a problem with the timing of it. I don't recall that it be that urgent.

Mr. Onorato:

On that point, Council President, I have to agree with Councilman Ferlo and that is that the fact is that we spent the whole meeting 90% of it on the Pension Fund where we just locked this City into 26 years of debt service is no reason for a Director of a different department to come up and say, well I still have to rush this through because it's important. It should have been in front of us a month ago then.

The difference here, and I agree with what Councilman Udin said about all those other departments and the process being changed, but the difference here is when the Director of Public Works says I am spending $10 million this year to pave roads and can tell us how many roads he paved is one thing, but when I have $8 million that went

to computers was supposed to be the deal now it's another $2 million, we can't put our hand on what that is. I think we are -- I am ready to recommit.

The Chair:

Final words.

Mr. Ferlo:

Recess this meeting and --

The Chair:

I am just checking if we even have to do that.

Mr. Hertzberg:

Part of this is under the consent decree too so we really don't want the U.S. Marshals coming down here tomorrow.

Mr. Onorato:

We are not part of that consent decree.

Mr. Cohen:

I have been generously granted the floor, and I am going to use it. If members of Council recall, we did ask Director Schmitt last week to provide us with an explanation of how the $7 million was spent, what the status of that was, etc. I don't believe we have received that, if this really was --

The Chair:

Excuse me -- The Clerk has not received that as of now.

Mr. Cohen:

If there really was a rush, then Mr. Schmitt certainly would have gotten that to us by then. The year 2000 is 21 months away. I don't think they are going to be moving it up as far as I know.

The Chair:

Role call vote on the recommittal.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. O'Connor (Pres't)

(MR. DIVEN ABSTAINED. MR. RICCIARDI, AND MR. UDIN VOTED NOE)

The Chair:

Motion passes; we will recommit Bills 72 and 73.

On the other bills, any further discussion? Hearing none, bills are ready for final action and passage of the bill --

Mr. Onorato:

One comment, I want to make a motion -- it's in my District, motion to recommit one other bill. It is on the sale of two properties that once again because of the discussion last week shouldn't have gone through, motion to recommit Bill 74.

Mr. Ferlo:

Point of clarification, Mr. President. Is the Councilman desiring to delete just a couple or all of them?

Mr. Onorato:

Actually it is three of them and two out of three are in my Council District. I just want to be able to ask the real estate --

Mr. Ferlo:

Can we suspend the rules and make a motion to delete whatever the Councilman wants to delete?

Mr. Onorato:

That is fine, there are only three on there. Two out of the three are in my District. I will make a motion to recommit the two properties that are in Council District One.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Any more discussion on these bills?

Bills are now ready for final action. All in favor of the passage of the bills, vote aye when your names are called, all those opposed will vote noe.

Clerk, please call the role.

Mr. Ferlo:

I have to raise a point of order. I am very unclear about what just happened? I apologize. I thought we only had one bill that we are voting on. We either have to amend that bill -- suspend the rules and amend the bill by taking out the two lots or recommit the total bill. We can't delete part of it and still have a bill tomorrow when we are taking final action.

Mr. Onorato:

I can clarify for you.

The Chair:

You want to recommit all three then?

Mr. Ferlo:

We have two options, we either have to recommit the bill as is or we have the power to suspend the rules and amend the two properties out that the Councilman wants to delete.

Mr. Ricciardi:

It affects my District, if it would make this easy for Mr. Onorato, let's just recommit the entire bill.

Mr. Onorato:

Mr. President, point of procedure, last week I was present when this bill came up and my colleagues asked me if we could recommit this so we could discuss it. I said okay and that's why I let it go through. So this was something that we talked about last week.

MS. MCDONALD seconded the motion.

The Chair:

We are recommitting the whole bill.

Which motion prevailed.

The Chair:

Which bills are we voting on to make it clear then?

Role call vote on the remaining bills.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required amount of votes and are passed finally.

MS. MCDONALD PRESENTED:

Bill No. 132:

Report of Committee on Parks, Recreation and Youth Policy for February 4, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 67:

Resolution Authorizing the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars ($10,000.00) or less with various performers, instructors, artists and persons with specialized skills in connection with the Department's various recreational and instructional programs.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? Hearing none, bill is now ready for final action. All in favor of the bill vote aye when your names are called. If opposed, vote noe.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill having received the legally required number of votes is passed finally.

MOTIONS AND RESOLUTIONS

THE CHAIR PRESENTED:

No. 133 Resolution re-appointing Richard Fees as a Member of the Pittsburgh Water and Sewer Authority for a term to expire January 1, 2003.

MR. HERTZBERG moved to approve the appointment.

MR. RICCIARDI seconded the motion.

Mr. Ferlo:

Discussion. First of all, I know Mr. Fees, he's a wonderful individual. But I am going to vote no just like I did with Mr. Leeper. I do think that there are too many administrative staff on these important authorities. There should be an opportunity for consumers and others with other expertise relative to PWSA including issues like landscape design for the Highland Park Reservoir and a whole bunch of other issues, Consumer Credit Collection, Engineering type of issues that come before the board.

Mr. Fees is a wonderful individual, he's a gentleman. He will do a good job on any board. But when we have these appointments and opportunities to embellish these boards and authorities with people from the community, residents and others who have different levels of expertise, I think we should try to solicit the Mayor's appointment of other people. It shouldn't just be a staff mayoral dominated board of which it seems more and more that is becoming the case. I, with all do respect to Mr. Fees, I am going to vote no.

The Chair:

Just out of curiosity there is no guidelines to have one administrator, one person from the neighborhood, whatever?

Mr. Ferlo:

No.

The Chair:

That is something we may want to look into in the future. Is the pleasure of the body to bring him to the table or do you want to vote today on it?

Mr. Ricciardi:

I am prepared to vote today Mr. Ferlo is raising a very good point. Mr. Fees was brought to the table. His financial expertise that we want to be firm and make very strong under the leadership of Timmy Equels and so Mr. Fees is serving a capacity for financial knowledge.

MR. COHEN moved to approve the appointment.

MR. HERTZBERG seconded the motion.

Which motion prevailed. **(MR. FERLO VOTED NOE)**

Ms. McDonald:

Thank you. Just quickly, I want to urge all City employees as well as Council members about this Sweater Drive. The City of Pittsburgh through my office is trying to have contributions of sweaters, old and new, to the Mr. Rodgers Neighborhood Sweater Drive. It's an important function, its a collaboration of the Mr. Rodgers Neighborhood, WQED, as well as the Salvation Army, and the United Way agencies which will distribute the sweaters. There are two boxes in the City County Building lobby areas. One at the Grant Street entrance, one at the Ross Street entrance.

Please, if you have any, I know you all have sweaters. You get them every year for Christmas. You get them every year for Christmas when no one knows what to buy you so they get you a sweater. But those sweaters that you never worn, put them in the box.

The Chair:

My wife will love that. Where do I bring them?

Ms. McDonald:

It's going to a worthy cause. This is not just my office. This is a commitment by the City of Pittsburgh. We want to make sure that all out of Pittsburghers as well as outsiders know that City Government can work. We can drum up a whole bunch of sweaters. We are going to make the presentation on February 21.

So again, I urge the public, I urge all City employees, Council's Office, Mayor's Office to throw those sweaters into the box, those ones that you know dog gone well you're never going to wear.

Also, lastly Black History Month is going on with the City of Pittsburgh through Parks and Recreation. Every Friday there is going to be a speaker for historically black colleges and universities, and the theme is "Taking a Closer Look."

Every Friday at 11:00 am in City Council Chambers there will be a speaker. Throughout the month of February there will be information on historically black colleges from Pennsylvania and throughout the Country to give you information, scholarship information.

I would urge the public if you are interested, which you should be, come on down to the City County Building lobby area and look for information. As well as if you have time to listen to the scheduled speakers every Friday throughout the month of February at 11:00 a.m. here.

Mr. Udin:

Mr. President, I woke up this morning to a very disturbing headline in the Post Gazette concerning a large cash of crack cocaine missing from the police evidence lockers. We have been fighting for years in my community and in other communities to rid our communities of this devastation that crack presents. It is a very difficult fight. I know that I have -- I do have the support of Chief McNeilly. We have been communicating on several different fronts, he sent literature, we are having meetings, we are doing everything we can do revitalize our community, retake our communities and make them places that are fit to raise our children.

The missing property from the evidence room reminds me of an Executive Session that we had when I first came on Council, where we were being sued by someone who had been under arrest and whose property was taken. At the time I thought we had a commitment from the Solicitor and the Chief that the problems that lead to that happening had been corrected. Now we have got a large amount of apparently 15 rocks of crack cocaine that are missing. Not only has it apparently damaged the prosecution of the original person who was arrested with the cocaine, now there is no evidence, but that cocaine is going to be recycled back into my community to continue the very devastation that we are fighting so hard to eliminate.

I would like to ask the President if he would please convene another Executive Session and invite the Chief and Deputy Kraus and the Solicitor and whoever else is necessary to be there so we can have a close examination of the procedures that are used in controlling this evidence.

I would hope that I would have the support of Mr. Diven, the Chairman of the Public Safety Committee, to take a really close look at how we are operating and if other things that are missing that we don't know about.

I don't know why we would have to wake up and find this information in the newspaper. I hadn't heard about it before, perhaps other colleagues had heard about it. But I was angry not only at the fact that it happened but angry that the Post Gazette found out before Council.

How can we be legislators of the City when information doesn't even come to us before it gets to the newspapers? I think we have a very serious problem we have to address and I would hope that the President will convene an Executive Session in which to do so.

The Chair:

On that note, Mr. Diven were you aware, did anyone contact you without going into details?

Mr. Diven:

To be honest with you I was at a social event last evening with a couple of police officers. I found out off the record probably at 10:00 that there was reporters looking into the incident. That's the first I heard about it and this was friends, this wasn't an official communication. It was something disturbing to me.

I do support Councilman Udin's request to have an Executive Session with the Chief and with some of these people.

The Chair:

I will ask you to set that up, an Executive Session. But also, we want to know the details of the investigation, and what is going on.

Mr. Diven:

I think we have to make sure that stuff like this does not happen in our department. We do have a lot of good police officers out there working the streets. When something like this happens it undermines the public's confidence in the whole department. It really type casts a lot of good people as bad and that's something that we as a legislative body should not encourage or give any support to.

The Chair:

I believe our calendars aren't too busy in the next of couple days. I would like to see that done within a week.

Mr. Diven:

Yes, sir.

Mr. Ferlo:

We have been down this road before on several different issues even prior to the incident Mr. Udin spoke about. I think it would be very helpful for Council and representatives of the Controllers Office and the Public Safety Department Chief of Police and the Mayor's Office rather than have a meeting here. I think it would be very instructful if our colleagues would make a tour of the property room. I think we will see first hand some of the issues that I raised privately in the past about how basically several millions of dollars are kept and maintained in files, in buckets, in

machines, in drawers, in envelopes, you name it. I think it would be very instructful if colleagues would take a walking tour where we discuss this issue and related issues.

I am not going to talk any more because I don't want to talk about where it is and what's kept there. I would like to ask that the Controllers Office, which has some auditing responsibilities each year for a couple of million dollars worth of money and goods and property in addition to the evidence issue. I think you will be amazed if not appalled at what is actually operational.

It is not making any accusation against any officers; I am talking about the system and the way the system is, the way it is maintained in the basement, how it is conducted and the inability to even earn interest income off of a significant amount of money. Which I could never understand, I don't know why the State Legislature doesn't allow us to accrue interest and have that money and gold doubloons that is basically down there accruing interest.

I think it would be very helpful if we had an Executive Walking Tour of the individual location that I am talking about as opposed to sitting around again around the table and not getting anywhere.

The Chair:

You recall Mr. Udin brought up -- I thought we requested an audit maybe two years ago whenever this happened, maybe longer?

Mr. Ferlo:

The Controller's Office does a yearly audit, a fiscal audit of the property room.

Ms. McDonald:

I agree that we do need to understand that -- not chain of command but the chain of custody procedure. There are procedures in place, very standardized procedures in place. In my experience with the Allegheny Crime Lab years and years ago very stringent chain of custody procedures because eventually you're going to go to court and sometimes just your loophole has to be the chain of custody. I believe we have a good one but it needs to be tightened up.

My concern is more than anything else that can be done, but my concern is there is a bad egg or eggs out there either smoking the stuff or selling the stuff. Probably selling the stuff putting some change in his or her pockets. That's my concern is finding out who in the world would have bypassed this, would have been criminal enough in their mentality as police officers carrying a badge and a gun with sirens and everything that could do something like that, that is my concern. Because that disrupts the entire police force, it sheds, I agree with Councilman Diven, it sheds a poor light, but that is my primary concern, is who did it.

We can tighten up the chain of command, but as long as we have criminal elements, criminal elements, within the police department then I don't care what kind of chain, you can tighten everything up, but a criminal will bypass whatever procedure you have. That's what we have to eliminate is that mentality and hopefully it may, I hope its only one person. But my concern is not only that person but who in the world would have aloud this loophole in the chain of custody to go for three days?

What is that collaboration? That's my concern, what is going on?

I agree with Councilman Udin, I am glad he brought it up. We do need a serious Executive Session and I am appalled that Councilman Diven as the Chair of Public Safety would not have -- he heard about it on the QT because he was at a social event, what kind of process is that? What are we Chair's of? You're supposed to be Chairing a Public Safety Committee. All of us are Chair's of some committee and therefore the Director of that department or the Chief must coordinate or at least have dialogue when there is serious issues. I am really tired myself of seeing things in the paper and learning about them.

But my concern is no matter what we do to tighten up the chain of custody procedures, is that is there some criminal element going on within our force that is going to be terrible to the entire police force? I believe it's just a handful again. But it sheds a poor light and my hope is that the rest of the squad -- forget this code of blue, this code of blue silence, forget that. I can't understand how a police officer could allow themselves to be put in such a poor light to protect somebody else. To heck with that I would tell our entire police force, you want to clean up your act, it comes from within.

I have said that all along with police legislation. Reform comes from within. Check yours. Police yours. If you call yourself a police officer with a badge and all that those codes, those missions that they live up to, then do it. If you have a criminal element right next to you, you know about it, you should turn them in.

The Chair:

I think it is very important we know the details and what they are doing about it. We expect to catch this person or persons.

Mr. Hertzberg:

Yes, I was informally pulling those south of the rivers regarding the Public Hearing scheduled for Thursday at 10:00 a.m., and we are going to go through with that hearing. There will be a hearing as scheduled on Thursday.

The Chair:

We are running notice of that on our station? Let's hope the media can put out a note, if anyone wants to attend or after that at least we will draw attention to the problem.

Mr. Ricciardi:

Thank you two new issues. Briefly, regarding the Fifth Division plan in Public Works. If Mr. Hertzberg could please keep us abreast of the progress and the deadline? I believe it was supposed to occur in March. Also, I am very interested in knowing about any supervisors and change of supervisors and who will be in what division for obvious reasons, we work very closely with the supervisors.

Mr. Hertzberg:

I haven't had that experience, Mr. Ricciardi. I will certainly check and see if -- personnel matters have generally been off limits for me as a Council member, but I will certainly look into that.

Mr. Ricciardi:

What I meant by that, obviously personnel matters are the responsibility of the administration and in this case Mayor Tom Murphy, the Deputy Mayors and Director Kraszewszki. But I just want to know what supervisor I am going to be having in my District so I can call him, meet with this person and make sure that I am on the same page with this particular person whoever that would be. Regarding two other issues --

Mr. Ferlo:

I want to thank Councilman Ricciardi for raising this issue. There is still a lot of concern out in the community especially in my District relative to the new changes that effectively will take place at least at this point, March 31.

I think during the budget proceeding a lot of us were lead to believe this was going to happen immediately in January, but I want Mr. Barley and others from Public Works and the Director Kraszewszki. They have been very open in trying to explain especially to the Morningside community in this.

Last week we had a meeting with the residents in Morningside with Representative Mr. Barley from Public Works. He brought his maps and charts and staffing. There was a good give and take in the community. There is a lot of apprehension. There is general support in wanting to give the administration the benefit of the doubt. I was pleased to see that. But the proof is in the pudding.

What we asked at the Morningside Meeting is that Public Works Administration come back to not only Morningside but the other neighborhoods that are going to be affected and let those neighborhoods know what the personnel changes are going to be.

In addition, since there will be new drivers and laborers on snow routes in divisions they may not have worked in the past. We are asking that that personnel be introduced to the community. Also, that there be some trial runs of the snow brigades in September and October, not when the crises hits next November or December.

If we have a shake up in some of the change in personnel, the truck drivers, the laborers, the sweeper route, the snow route, we are asking the administration and Public Works and I think they are willing to do this, to work with the community. We would like to see the supervisors get out to every neighborhood group that we represent. They should make themselves known they should have a direct line.

The supervisors in these Public Works Divisions shouldn't have to wait for a call from Council or the Mayor's Complaint Center. There should be a direct linkage with those supervisors and various recognized Community Groups and the residents in the effected area.

We have got that process starting to go to work in Morningside and I would hope it would replicate itself around the City. I think Mr. Ricciardi's points are very well taken.

The Chair:

I would ask Councilman Hertzberg since he is the Chair of that committee to have a report. I agree by September -- has everyone been trained, are they familiar with the neighborhoods that type of interaction and training. It not only benefits the

taxpayers of Pittsburgh but also it is fair to the employees.

Mr. Hertzberg:

I will make a request to the Director.

Mr. Ricciardi:

Different subject matter. I will be very brief. Mr. President, I want to thank you and Councilman Sala Udin for convening the meeting yesterday regarding the dramatic property increases here in the City of Pittsburgh. I thought it was a very frank discussion. If our City Clerk Linda Johnson-Wasler can please send thank you notes out to the people who attended and I really -- especially thank Alex Matthews and Larry Dunn who attended on behalf of themselves obviously and did not send representation.

I was watching very closely on the monitor, there are two points I hope two colleagues maybe will consider bringing up for a vote of support. One was brought up by Councilman Jim Ferlo and I really believe that we should have an extension of the deadline extending it past February 28. It doesn't effect the revenue strings, because people still have to pay their taxes.

The second point that was properly brought up and articulately brought up by Councilman Dan Cohen and that is with this $25 million contract to this Ohio firm, who I still think is out of touch with reality. That there should be a portion of it to inform the public which tax abatement programs are available.

Councilman Udin and myself we were in front of the City County Building today, we had a gentlemen whose assessment was quadrupled and he was talking Gentrification, what was available with the School Board, what was available with the County? He was just uninformed, not uneducated, it's called uninformed. So maybe if the two colleagues can just run with this this morning and see if you would support some type of resolution or offer it.

Mr. Ferlo:

I think on Mr. Ricciardi's point, I think not only myself but other colleagues pointed that out, the board in the past has extended its deadline. I think they did it several years ago when there was a large number of reassessments. I would like to respectfully ask with Mr. Ricciardi's leadership that we make a motion and send a letter of request to Mr. Odato and the board members that they consider moving the deadline for assessment appeals to the end of March as opposed to the March 2 date.

The Chair:

Is that enough? What did we do last time? I thought it was May one?

Mr. Ferlo:

They did 30 days to the end of March.

I would like to respectfully ask --

MR. RICCIARDI seconded the motion.

Mr. Cohen:

If I could just add a friendly amendment to that, that is to -- also it is non-binding obviously, but also to encourage them to devote a portion of that $25 million even a small portion, even a

hundred thousand dollars to informing taxpayers as to what their rights are.

On that point real quick, we did ask the representatives who were here yesterday to vote today and not to delay on the language that was drawn up by our Law Department. We have no responsibility with respect to property assessments, as everyone knows, but our Law Department at our request was kind enough to draw up what taxpayers' rights are in a way that everyone can understand. If they vote for that today, we will be able to get it on the City's Government channel in the next couple of days.

The Chair:

There is, at least we are hearing cooperation with Mr. Cannon's office to try to jointly put these three bodies together and maybe organize it so that it covers all three, City, County and school. That's very confusing to the average person. You're getting three sets of rules.

Mr. Cohen:

Exactly. What this display will be on that will be broadcast will be number one, how to appeal a properties tax assessment. Number two, how to take advantage of the Gentrification bill that Councilman Ricciardi sponsored and number three, how to take advantage of Pennsylvania Act 77. There will be three different plates.

The Chair:

What is the update of our cable running it? I know you requested it a while ago. Is it on yet?

Mr. Cohen:

No, because the Board of Property Assessment has to approve it. They're sitting on it. Hopefully they will approve it today.

Mr. Ferlo:

I consider that a friendly amendment.

Which motion prevailed.

Mr. Ferlo:

On another matter. Since the administration has gotten beaten up a little today, let's try to put a happy face on. I would like to put a happy face on and thank the administration on a number of issues. I will be very brief. The Lawrenceville Shopping Center was delayed for a couple of months. I want to thank the Mayor and especially Director Birru, the Director of the URA Board, my colleague Mr. Hertzberg and others. That Lawrenceville Shopping Center is back on track strongly. Construction has renewed.

In addition to the major supermarket and the major drug store we are very proud now to be home to one of the first major new national drug store chain, CVS it is called, which bought out smaller drug store companies operating in Pittsburgh and Pennsylvania. They will be the first drive through window for the pharmacy in this City.

In addition one of the retailers that will go in some of the stores that front the Butler Street corridor physically underneath the shopping center supermarket, Shop'n Save as we know it, will be a major video company called Hollywood Video, which is equivalent if not larger than a Block Buster

Video. We are off and running.

I want to thank the administration for never giving up hope and really applying additional resources to bare in order to make this deal doable. But the construction is back on track with all the major companies involved.

I do think the Mayor and his staff is owed thanks not only from myself but the community. So we are pleased to see that program back on track and building towards a late spring, summer Grand Opening of the supermarket. It will be a major embellishment of the Butler Street corridor.

There is a possibility along with the new Exxon Station that we want to bring a baker in Butler at the foot of the zoo that lower corridor towards the 10th Ward can continue to make some of the strides and the business retail corridor that we have seen over the last couple of years. I want to point that out.

The Chair:

I might add if I can those are two major companies that are coming into the region to start in the City, I think is very positive.

Mr. Ferlo:

Yes thank you very much. I want to thank Councilman Hertzberg and Councilwoman McDonald for taking time off their busy schedule Friday afternoon along with many community residents from Morningside and various City departments, Engineering and Construction, Pittsburgh Water and Sewage, the Parks Department, the Zoo. We had quite an entourage show up in the Morningside, Hess Run Park area.

I think both colleagues were impressed about the amount of land that is now occupied and being underutilized by the Public Works Division. It is an area that can easily host five, six, seven, eight new ballpark fields and be a great site possibly even a home for the Rugby Association which has long been looking for space and wants to build a community center.

Obviously our priorities are additional ball field space for the Morningside soccer and football and little league, additional parking which the community Morningside Field has never had as well as Hess Run. So we are just at the beginning of a long road.

The Mayor I think has been supportive. I think he sees the opportunity of turning this large piece of property, which really is part of Highland Park and is home to the Morningside community. There is great potential there. I want to thank my colleagues for showing up and we will be off and running for some planning process as Chairman of Engineering and Construction.

Two very quick points, we are looking at trying to negotiate a discussion for Council in the Highland Park Community the Pittsburgh Toy Lending Library which is on Center Avenue at a big church there, is looking for a permanent home. We have had a beautiful facility the Highland Park farmhouse which is one of the oldest buildings in Highland Park, which has pretty much gone under utilized. In fact isn't being utilized now but is home to the Highland Park Summer Youth Services, the Day Camp. We are looking at possibly negotiating something with the Toy Lending Library. They can take over that building in conjunction with the Highland Park

Community. That would all come back to Council for approval.

Last but not least, we are breaking ground in the next month on a much needed and hoped for new playground at Leslie Park. I want to thank the Mayor for his commitment on the playground reconstruction, Director Reginella and all the architects and folks that work in the parks as well more importantly the Engineering and Construction Department. But the Leslie playground is a significant new playground that will be new and improved for the Lawrenceville Community. That ground breaking will be very shortly at Leslie Playground. It is going to be a little bit of pain for a lot of long term gain. We are very excited about it. I just want to end a little bit with a happy note and thank the administration.

The Chair:

On the happy note, maybe since it is your department now, Engineering and Construction, you can update us on what playgrounds will be finished or started this summer for all Council members to be aware of.

Two quick things. I would like to -- we were here last week. Quite a few Council members extend our congratulations to 35 individuals of the City who had 30 years service. It was a very nice ceremony. I want to thank all of them for all their hard work and service to the City.

Lastly, I would like to congratulate Bishop Wuerl. I was at his 10th anniversary as Bishop of Pittsburgh. He has done an outstanding job and it is remarkable not only for the church and schools but the hospitals and the many many people that his diocese serves all over the region. I want to congratulate him on behalf of all Council.

Can I have approval of the minutes?

MR. UDIN moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn?

Mr. Hertzberg:

Motion to recess until tomorrow.

The Chair:

I don't know that it is required. We called and asked, if you feel it is we can do that for them.

Mr. Hertzberg:

If they don't need it, then let's not.

The Chair:

They didn't respond yet. We did not get the E-mail either.

MR. UDIN moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

The Chair:

Meeting adjourned.

And with the motion made by Mr. Udin, the meeting adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 17, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

Can we all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We are fortunate to have today two seniors from Brashear High School Sylvia Mavrogeorgis and Julia Wozniak.

Ms. Mavrogeorgis and Ms. Wozniak:

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The Chair:

Thank you ladies. On behalf of myself and Members of Council, I have a flag of our City and of our Nation to present to you. Mr. Diven, come up.

PRESENTATIONS

Mr. Diven:

It is a great honor to recognize both Sylvia and Julia; they are two of some of the finest students our city schools have to offer. Often times we hear so much negativity about our public school system but these two girls have competed nationally with the National Merit System for scholarships and have been recognized as some of the brightest students in the country. It is a great honor for me to bring them down into Council with their family to recognize their contributions to both Brashear and to the community.

I will start with Sylvia's proclamation.

MR. DIVEN PRESENTS:

No. 134 WHEREAS, Argyro (Sylvia) Mavrogeorgis is a senior at John A. Brashear High School and,

WHEREAS, Sylvia is a member of the CAS (gifted) program and,

WHEREAS, Sylvia is currently ranked eighth in a class of two hundred and twenty students with a QPA of 4.057 and,

WHEREAS, Sylvia has participated in many community service projects throughout her high school years, being especially active in Habitat for Humanity and,

WHEREAS, Sylvia volunteers as a Greek teacher to a kindergarten class at her church and,

WHEREAS, Sylvia's extracurricular activities include volleyball, track, swimming and the school musical and,

WHEREAS, Sylvia has experienced great personal loss as a result of the sudden death of her sister during her junior year and was able to regain her academic focus and,

WHEREAS, Sylvia was selected as a National Merit Scholarship semi-finalist in a process that included students from all over the United States.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Sylvia on her excellent academic record and her position as a semi-finalist for the National Merit Scholarship and wishes Sylvia all the best in her future endeavors.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Diven:

We also have Julia Wozniak who is also a senior at Brashear.

MR. DIVEN PRESENTS:

No. 135 WHEREAS, Julia Wozniak is a senior at John A. Brashear High School and,

WHEREAS, Julia is a full-time gifted program student and,

WHEREAS, Julia is ranked first in a class of two hundred and twenty students with a QPA of 4.356 and,

WHEREAS, Julia is involved in several community service projects and is devoted to working with physically and mentally challenged students at Pioneer School, and is involved with Hunger Action, and

WHEREAS, Julia was recognized as a National Merit Commended Student for the high scores she received on the PSAT last year.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend Julia Wozniak for her outstanding academic record and invaluable service to her community and wishes her the best in her future endeavors.

MR. HERTZBERG moved to approve the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Diven:

I think one of the good things about being a member of Council is being in the position to recognize people in the community. We can draw attention to some of the really good things that people in our community are doing.

I think with a lot of the negative media attention that has surrounded Brashear in the past two years, it's a great honor to show that we do have students that are competing nationally and succeeding. I am sure that these two students will be successful parts of our community and people we can be proud of in the very near future.

I want to thank you guys, if anyone has anything they want to say. We have Michelle Bozola from Brashear High School. She is a teacher involved with the National Merits Scholarship Program. We want to thank you guys for coming down today and keep up the good work.

You want to say anything?

Ms. Wozniak:

Sylvia and I would like to thank Councilman Diven and Council for recognizing us today and we would also like to thank Mrs. Bozola. Thank you.

The Chair:

You want to tell them about the program and the kids?

Ms. Bozola:

Well the CS program is a gifted program at Brashear High School and it exists at all city high schools and the students are able to choose as many CS classes as they would like to, up to 5 and all academic subjects. These two young ladies have really taken advantage of the program and proven themselves to be academic scholars.

Julia and Sylvia are applying to some of the most prestigious schools in the nation and hopefully you will see them come back to Pittsburgh and make the city schools proud.

So I thank you for recognizing them today.

The Chair:

Thank you all very much. Keep up the good work ladies.

Mr. Diven:

Incidentally I am an alumni of Brashear High School. It is good to see some fellow alumna doing so well.

Ms. McDonald:

WAMO. I have already put in one resolution for the Alpha Wives on Friday for their 50th year anniversary. Well we have one of the largest radio stations in this greater Pittsburgh, WAMO who is likewise celebrating 50 years. Last Saturday evening was a semi formal affair where they did it with style and with vigor and vim. I got there at the tail end. It seemed like they had a packed house, a lot of gospel music, a lot of R and B, a lot of music. It was wonderful. Everyone looked beautiful. I want to commend WAMO radio station for 50 years of service to the Pittsburgh area.

That's a long time for a minority owned station and to keep its place here in the City of Pittsburgh, it's not going anywhere.

I will read the resolution and then I would like to ask for comments. I would like for Porky Chedwick who lives in infamy here in the City of Pittsburgh. Porky is a DJ. When I was younger, I remember sitting in my grandmother's kitchen with that old ugly radio, I would hear Pork the Tork. So I would like him to give the final words to celebrate for this occasion.

Let me introduce the participants and raise your hands so the camera can see who is who when you here all this stuff coming out on the radio who is who.

Starting with the breakfast jam, which thank you very much for having me on there last week. Sly Jock and Taylor Diaz and Melanie Hunter does the news. Ron Davenport is the CEO of Sheridan Broadcasting, Alan Lincoln, Vice President and General Manager, Danielle Grossman who is Promotion Director, Ron Atkins Program Director, Tracy McIntosh Sales Director, Alexis Means Producer, and again Porky Chedwick.

The resolution reads.

MS. MCDONALD PRESENTS:

No. 136 WHEREAS, during 1998 WAMO Radio, celebrates 50 years of service to the Pittsburgh area; and

WHEREAS, the Sheridan Broadcasting Corporation has owned WAMO Radio Station for the last 25 years and it's CEO is Mr. Ronald Davenport. Sheridan Broadcasting Network/AURN is the largest African-American owned radio network in the country. In 1979, WAMO's parent company, Sheridan Broadcasting Corporation, acquired the assets of Mutual Black Network, the first completely black-owned news network in the nation; and

WHEREAS, Sheridan Broadcasting Corporation moved their office to the Pittsburgh area in 1985. WAMO AM/FM is a wholly owned subsidiary of Sheridan Broadcasting Corporation.

WHEREAS, the acronym, WAMO stands for the Allegheny, Monongahela, and Ohio Rivers. WAMO's historical highlights include: 1980, WAMO and Kaufmann's Founded the "Celebrate the Seasons Parade", in 1994, WAMO held its first annual "Juneteenth Celebration", in 1995, WAMO held the first annual "African-American Awards Show and in 1996 WAMO created its NAACP Scholarship Fund; and

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends WAMO Radio for keeping Pittsburgh and surrounding areas "In Tune" with the times by providing current news and music for all listeners for the last 50 years. We wish WAMO Radio continued success for the next 50 years.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you very much. I would like to turn to Mr. Ron Davenport, CEO

Sheridan Broadcasting.

Mr. Davenport:

Councilmen, I want to thank you on behalf of Sheridan Broadcast, again WAMO for the support that the City has given to us. We are proud to be a part of this community. As you said, we will be here for another 50 years. Thank you very much.

Ms. McDonald:

Thank you he doesn't need to be long on words he owns it. That's confidence.

Mr. Lincoln:

Thank you very much, City Council, particularly Councilwoman McDonald who has been a friend to us for a long time. We are very pleased to have been here for 50 years. That's, believe it or not, longer than I have been here on this earth, but never the less it has been a great pleasure to work for Sheridan and also WAMO. I have a great staff of people that work for me each and every day. May God continue to bless you.

Ms. McDonald:

Thank you and he just wanted to make sure people know he has not reached the big 5-0 yet. It's coming Alan. It will come. Anyone else want to say something? Sly, you want to carry on? We are still in the breakfast mode.

Sly Jock:

I am just glad to be working for WAMO, I have been there for a long time and people that we work for are very good, Program Director Ron Atkins, Mr. Davenport and Alan Lincoln and all my co-workers. We want you to keep listening in the morning and all day long. Thank you.

Ms. McDonald:

Thank you, Sly. He was so civil there compared to what I normally here.

Porky Chedwick:

Hi. I would like to say initially it's a great honor being surrounded by City Council, the educated people and the rich people. With all sincerity, I want to thank WAMO, which was WHOD in 1948 in its very inception. I wanted to thank the management at that time and especially the great management that they have today with Mr. Davenport and his team. Great people, make me feel so good. They look out for me and they make me just continue many, many years of radio.

Can you imagine daddo of the radio, platter-pushing poppa on the air for 50 years? How about that?

I have been healthy most of the time, but I do have a little problem right now. It is my problem, not your problem, little vision problem, but that comes in time right? I want to thank WAMO one more time. I love them. They have been good to me. I wish them a lot of luck for many many years to come.

The Chair:

Before you all pose, Valerie, I want to thank WAMO, Porky especially for all the many years -- I see WAMO, I don't think you get enough credit. You sponsor so many projects in the City of Pittsburgh all over, so many events. I want to thank you on behalf of everyone and all the

sponsorship you show to so many good causes.

MS. MCDONALD PRESENTS:

No. 137 WHEREAS, the Greater Pittsburgh Council, Boy Scouts of America will celebrate their Ninth Annual Whitney M. Young, Jr. Service Awards Banquet on Saturday, February 14, 1998, at the Sheraton Hotel, Station Square; and

WHEREAS, the Whitney M. Young, Jr. Service Awards Dinner recognizes outstanding individuals who have developed Scouting opportunities and provides leadership to urban and at-risk youth. It is named for the late Whitney M. Young, Executive Director of the National Urban League from 1961 to 1971 and a recipient of the "Medal of Freedom," the nation's highest civilian award; and

WHEREAS, this years honorees include Mr. Robert E. Goode ,recipient of the 1998 Whitney M. Young Service Award and Mr. Walter Hall, Sr., recipient of the Scoutmaster of the Year Award. Dr. Velma P. Scantlebury, associate professor of surgery at the University of Pittsburgh Medical Center's Transplantation Institute will provide the keynote address for the evening; and

WHEREAS, the Greater Pittsburgh Council, Boy Scouts of America, works in neighborhoods and schools to instill positive values in more than 43,000 area youths. Its efforts include special programs targeting inner-city at-risk youth with activities promoting self-reliance, good citizenship and career exploration.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh salutes the Greater Pittsburgh Council, Boy Scouts of America for their continuous commitment and support to the youth of Pittsburgh.

Also,

No. 138 WHEREAS, Pittsburgh Alpha Wives will celebrate 50 years of service with an Un Bal Masque' Des Amoureux Ball (The Mask Ball for Lovers) Friday, February 13, 1998, at the Edgewood Country Club; and

WHEREAS, the Pittsburgh Alpha Wives was organized in 1948 at the Loendi Club, by the Alpha Omicron Lambda Chapter of Alpha Phi Alpha Fraternity, under the presidency of Dr. C.G. Nickens. The alpha Wives Fiftieth Anniversary is a benchmark of time well spent for services rendered through the years by the wives; and

WHEREAS, Alpha Wives are known for their generosity to such charities as, the Lemington Home, NEED, the United Negro College Fund, Girl Scouts, the Black College Tour and The Reading Workshop; and

WHEREAS, this years event chairperson is Mrs. Beatrice Vasser. The honorees include Ms. Gladys McCullough, Ms. Lola Givens, and Ms. Easter Little Baker, women who have been involved in the organization since 1948.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh, recognizes the Alpha Wives of Alpha Phi Alpha Fraternity for their commitment to the community and for their continued generosity.

Also,

No. 139 WHEREAS, Ms. Oseola McCarty will be the guest of honor at the University of Pittsburgh's Student Tribute to Excellence and Education in celebration of Black History Month; and

WHEREAS, Ms. Oseola McCarty, better known as the "laundress who gives scholarships" donated $150,000 of her life savings to the University of Southern Mississippi to fund scholarships for black students; and

WHEREAS, Ms. McCarty quit school at the age of 12 and took in laundry for more than 70 years inspired the nation with her unselfish generosity. The Hattiesburg, Mississippi native has received many awards, including the Presidential Citizens Medal, and has been featured on television and in magazines, and spends much of her time giving interviews and visiting other Universities; and

WHEREAS, Ms. Oseola McCarty's visit is sponsored by the Office of the Provost, the African-American Alumni Council, the Office of New Students Programs, and US Airways.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh Recognizes and Commends Ms. Oseola McCarty for her personal commitment in providing funds for education to African-American youth who are unable to fund themselves. Ms. Oseola McCarty is a living example of "Simple Wisdom for Rich Living".

MR. HERTZBERG moved to adopt the resolution.
MR. ONORATO seconded the motion.
Which motion prevailed.

MR. COHEN PRESENTS:

No. 140 WHEREAS, the Bloomfield Business Association brings the spirit of the holiday season to the Liberty Avenue business district with the holiday lights it erects along the Avenue each year; and

WHEREAS, volunteers from the Public Works Department and members of the Bloomfield Business Association pitch in each year to get the lights up and take them down; and

WHEREAS, this year eight employees of McGann & Chester Towing, Inc. volunteered their own time early on Saturday, January 24, 1998 to help load the lights onto flatbed and pickup trucks and move them to storage spaces in Mellon Bank and a local garage; and

WHEREAS, the McGann & Chester employees also brought coffee and doughnuts for all of the other volunteers; and

WHEREAS, the McGann & Chester employees who helped with the lights are Bob McGann, Jr., Bob McGann, Sr., Bill Chester, Dean Callander, Dave Callander, Chuck Hertzer, Tom Paul, and Martin Ritter; and

WHEREAS, Tom Christ of the Department of Public Works is also to be commended for his service beyond the call of duty in recruiting McGann & Chester and in assisting, along with his stepson Kevin Wilson, in the removal and storage of the lights; and

WHEREAS, the efforts of McGann & Chester resulted in a significant cost savings for the Bloomfield Business Association; and

WHEREAS, the Bloomfield Business Association members are grateful to McGann & Chester for providing both labor and vehicles to get the lights down and safely stored away until the next holiday season.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby express its gratitude for McGann & Chester Towing, Inc.'s efforts on behalf of the Bloomfield Business Association.

MR. O'CONNOR PRESENTS:

No. 141 WHEREAS, the Program to Aid Citizen Enterprise, hereby referred to as PACE, was established in the year 1968 as a group designed to channel resource funding via local organizations whose leaders are in touch with the community's needs to educate, support, and fund community organizations and thus empower disadvantaged and minority communities in Allegheny County through grassroots organizations.

WHEREAS, on Sunday February 15, 1998, PACE will host a benefit program, which will reunite the members of the Pittsburgh Steelers Class of 1974 and over 15 members of the Steelers organization and feature highlight films, testimonials, prize giveaways and a special National Sports Memorabilia silent auction to raise money for PACE.

WHEREAS, PACE has labored diligently and has raised over $16 million for over 200 Allegheny County Agencies, provided technical assistance to these organizations, and recognizes its responsibilities in the distribution and monitoring of public funds to guarantee the success of these programs since its inception.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank PACE for its numerous contributions to the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, February 15, 1998 as the "Program to Aid Citizen Enterprise's Pittsburgh Steelers Class for '74 Reunion Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now moving to presentation of papers.

MR. FERLO PRESENTED:

No. 142 Resolution Providing for a Contract or Contracts, or use of existing Contracts for the installation and maintenance of traffic signal equipment throughout the City; and providing for the payment of the cost thereof, not to exceed $100,000.00 chargeable to and payable from:

ACCT 600000, FUND 5100, ORG 301000, SUB-CLASS PGHPR, PROJECT/GRANT

2235100, BUDGET YEAR 1998, AMOUNT $100,000.

Which was read and referred to the Committee on Engineering and Construction.

MS. MCDONALD PRESENTED:

No. 143 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16 by changing from "R4" Multiple-Family Residence District to "C3" Commercial District all that certain property bounded by: Lowell Street; the "C3" Zoning District boundary located between Mayflower and Auburn Street; Tyler Way; the southeasterly boundary line of lot No. 209, Block 125-A in the Allegheny County Lot and Block System; and Mayflower Street, 12th Ward. (SPONSORED BY MS. MCDONALD)

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. ONORATO PRESENTED:

No. 144 Resolution Approving a conditional use exception under Section 993.01(a)A(4) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to William to James Rudolf for authorization to demolish a 2 ½-story structure and replace it with an access drive and a community parking area having a maximum of 4-parking stalls to be located at 5608 Wilkins Avenue on property zoned "R2" Two-Family Residence District, 14th Ward.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 145 Resolution providing for the issuance of a warrant in the sum of $25,000.00 to Mary Smykla c/o Michael H. Rosenzweig, Esquire, Edgar Snyder & Associates, Gulf Tower, 16th floor, 707 Grant Street, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD 95-12401 alleging personal injury due to a slip and fall within the crosswalk in the intersection of Broadway Avenue and Shiras Street on or about October 19, 1994.

No. 146 Resolution Providing for an Agreement or Agreements with a qualified third party administrator to administer the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of two years, beginning January 1998 through December 31, 1999. Said Agreement or Agreements shall not exceed $19,200.00 (Nineteen-Thousand Two-Hundred Dollars) chargeable to and payable from Account #574100, Fund 1000, Sub Class 040, Organization Code 999300.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Any unfinished business to come in front of Council? Hearing none, Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 147:

Report of Committee on Finance and Budget for February 11, 1998 transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Bill No. 88:

Resolution authorizing and directing the Controller to perform a fiscal audit of the City of Pittsburgh's 911 Emergency Telephone Act Trust Fund (ETATF) including all revenue and expenditures since the establishment of the Trust Fund. **(SPONSORED BY MR. FERLO)**

Which was read.

Also,

Bill No. 93:

Resolution amending and supplementing Resolution No. 836, effective January 1, 1998, entitled, "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1998," by making certain corrections. **(SPONSORED BY MR. UDIN).**

Which was read.

Also,

Bill No. 94:

Resolution amending and supplementing Resolution No. 838, effective January 1, 1998, entitled, "Resolution adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections. **(SPONSORED BY MR. UDIN).**

Which was read.

Also,

Bill No. 95:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act. No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

(A) 3359 Bigelow Boulevard & 8 Harding Street, 6th Ward, Block 26J, Lot 145 & 147, being sold to George M. Biedrzycki, $2,500.00. Two vacant lots containing a combined area of 7,931 sq. ft. Council District 7. Intended Use: Build a personal residence.

(B) 8017 Bennett, 13th Ward, Block 174S, Lot 228, being sold to Steven D. Renfro, $3,500.00, 1 sty. c.b. stn. Bldg. Situated on a lot containing an area of 8,266 sq. ft. Council District 9. Intended Use: Open silk screening business.

(C) 172 Warrington Avenue, 18th Ward, Block 15G, Lot 42, being sold to Louis J. Cardello, $750.00. Vacant lot containing an area of 3, 712 sq. ft. Council District 3. Intended Use: Investment.

(D) 2135-2137 Perrysville Avenue, 25th Ward, Block 46-P, Lots 9 & 10, being sold to Horace G. Pridgen, $5,500.00. 2 ½ sty. Fra. Hse. Situated on a lot containing an area of 2,425 sq. ft. Council District 6. Intended Use: Rental Units.

(E) 292 – 298 Watson Boulevard 26th Ward, Block 116 J, ot 377, being sold to Darla J. Tucker, $7,000.00. 4-2 sty. Dup. Hses. Situated on a lot containing an area of 5,628 sq. ft. Council District 1. Intended Use: Personal residence.

(F) 2078-2080 Dartmore Street, 32nd Ward, Block 95-J, Lots 85 & 88, being sold to Alice Harrison, $1,000.00. Two vacant lots containing a combined area of 7,093 sq. ft. Council District 4. Intended Use: Expansion of existing property.

(G) 6900-6908 Churchland Street, 12th Ward, Block 172N, Lot 25, being sold to Argie Lyerly, $1,000.00. Concrete block double garage situated on a lot containing an area of 12,274 sq. ft. Council District 9. Intended Use: Demolish structure and use lot as additional yard space.

Which was read.

Also,

Bill No. 72:

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for any and all expenses associated with the purchase of computer equipment, software, communications equipment, development of software, professional services, training services, and maintenance in conduction with the Consent Decree Implementation. The amount of this request will not exceed $565,000 chargeable to and payable from Account 542700, Fund 5400, organization 102000, Sub-Class PGHPR, Project 2261553, Budget Year 1998.

Which was read.

Also,

Bill No. 73:

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) for Information Systems Modernization to include upgrades to the City's existing information system infrastructure for the Year 2000 Compliance and completion of the Financial System for the purchase of equipment, communication, hardware, software, training, professional services, and maintenance. The amount of this request will not exceed $900,000.00 chargeable & payable from Account 542700, Fund 5100, Organization 102000, Sub-Class PGHPR, Project 2251003, Budget Year 1998.

Which was read.

Also,

Bill No. 74:

Resolution providing for the Conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 687 Margaret Street, 33rd Ward, Block 32J, Lot 60, being sold to Regina McClain, $11,201.99. 2 sty. brk. veneer hse. & addn. & 1 sty. c.b. gar. situated on a lot containing an area of 12,274 sq. ft. Mt. Oliver Borough.

(B) 2505 Perrysville Avenue, 26th Ward, Block 46F, Lot 54, being sold to John Rush, $2,001.00. 2 ½ story aluminum siding house and 2 car garage situated on a lot containing 3,132 sq. ft. District 1.

(C) 2901 California Avenue, 27th Ward, Block 44D, Lot 229, being sold to John Rush, $3,251.00. 2 story frame and aluminum siding house situated on a lot containing 1,700 sq. ft. District 1.

The Chair:

You've heard the reading and title of the bills, any discussion on the bills?

I would like to mention on Bill 73 dealing with the computers, I said at one of the hearings I have had a lot of requests that the pensioners, the use of the fund to provide electronic deposit for the pensioners checks similar to what we have.

Mr. Cohen:

On Bill 73 regarding the $900,000 for computer service, if you recall, we have had a couple of discussions already on the year 2000 problem and that is of course our computers are not able to compute the year 2000 and later. Therefore, we need to spend money to repair those computers.

I am ready to vote for this legislation after Director Schmitt's discussion of the problem last Wednesday. I do believe that the CIS Department is going about this in a thorough and methodical way.

I would ask that this City Council send a letter to our Solicitor, Jacqueline Morrow, to see whether there are ways that we can be reimbursed for this money. From some limited research that I have done, there are a number of companies and municipalities that are seeking reimbursement from their insurers or from other third party contractors for a payment for this problem. The way their doing it is a breech warranty claim when these computers were sold to the City of Pittsburgh we are not told that they were potentially going to breakdown on midnight of the year 2000.

So many companies, I have said and municipalities, units of the government, are making breech of warranty claims against the companies, their insurers or third party contractors.

I would ask that we along with passing this legislation send a letter to our Solicitor asking her to determine whether we can be reimbursed for money that we pay out to solve the year 2000 problem.

The Chair:

Do we have a second on that?
MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

I think it is a very good point. Any

other resources and reinvestment -- recouping some of our costs would be greatly needed.

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when your names are called. All those opposed vote no.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Udin	Mr. O'Connor (Pres't)

(MR. ONORATO VOTED NO ON BILLS 72 AND 73, MR. RICCIARDI ABSTAINED TO BILL 93).

The Chair:

Bills received the legally required number of votes and are passed finally.

MR. ONORATO PRESENTED:

Bill No. 148:

Report on Committee of Planning, Zoning, and Land Use for February 11, 1998 transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 90:

Resolution providing for an Agreement or Agreement with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention, and essential services of said Agencies, at a total cost not to exceed $839,000.00

The Chair:

You've heard the reading and title of the bill, any discussion on the bill?

Mr. Onorato:

There was information requested by Councilman Ferlo and myself on this bill. I didn't receive it. Does anyone have that information? Did it come into anyone's office? It was regarding the proposed expansion in Councilman Udin's district plus the size of some of the other locations. I am going to make a motion just to recommit then until tomorrow so the information can be presented.

MR. UDIN seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

The Chair:

Any motions or resolutions to come in front of Council? I would like to make a quick comment on Sears. I think Home Depot was a very big win for the City. I want to commend the Mayor and his staff and especially Ms. McDonald. I know it is in your district, and I know you worked very hard on it. Mulu Birru and Steve Leeper, and all those involved, we had a press

conference last week, I think that it's a tremendous effort, many years by a lot of people. I want to commend them publicly for that.

On the other hand I was very disappointed to see the shut down of LTV Steel. Over 750 jobs will be lost and the blow to the economy of Pittsburgh. I am not just talking about the City, but the region, it is over $40 million payroll, we can probably double that with all the contractors and people involved with servicing the factory.

I am also very disappointed, there is a full page ad, half page ad in the papers today from the Steelworkers actually thanking all of us and the political leaders that got involved for trying to save the mill. The residents of the City, who showed their concerns, it criticizes LTV. I won't elaborate on the criticism of LTV the way it was handled the last couple of months, especially with the over pollution of the air, the air quality. I think it was very unfair to the neighbors who had supported them for over 80 years, whether they worked there or just lived there. They really let that factory go.

But I would like to bring to the table LTV, in everyone of our discussions they have committed verbally saying they would do -- they started here, they made their money here, they would keep some resources here. I am not just talking about just the Hazelwood plant. I feel there is a moral and a legal obligation they have to the people of Western Pennsylvania.

They just built a factory in Alabama, they are building another one in Ohio, whatever new steel resources they have they should be and they have talked verbally of a commitment to Western Pennsylvania. The governor has backed that up saying he would support any initiatives or match any other states, what they granted and the same with the City and County officials.

I don't want to belabor or throw rocks at them, but I would like them to remember their promises and where they made their fortunes, their stock is very high. Ten years ago they were almost bankrupt. It was the Steelworkers in Western Pennsylvania who gave concessions. I hope they remember that. Again, not just in the Hazelwood area but somewhere in Western Pennsylvania that they maintain some presence and bring some good jobs to the people who put them where they are today.

Mr. Ricciardi:

I have a few subject matters I would like to talk about. First colleagues, I continue to be very irate regarding the assessment process here in the City of Pittsburgh in general. But in particular in Council District Three, my district, which represents as Mr. O'Connor knows South Oakland, South Side slopes, the flats, our Hill Top Communities of Allentown, Beltzhoover, Knoxville, Arlington and Mount Oliver neighborhoods.

Well, basically right now in terms of the numbers of assessments, Mr. President, Brookline and Beechview continue to hold strong on to the second position of 500 assessments. South Side community was at 1300 assessments; we have just topped 3,000 assessments. That means 3,000 properties in District Number Three have received increases in their assessments, over 3,000 properties.

I find that very disturbing because even if there is some sort of court order, you

think it would be County wide and not focused in on such a small neighborhood.

I am going to be doing this informally but if need be I will do it by resolution next week, I am asking our City Solicitor to become involved in this and see if its true that my Council District has been unfairly targeted. I am asking our Solicitor to put in writing, to document, to meet with the County Commissioners and see exactly how neighborhoods were chosen and why certain neighborhoods have escaped and certain municipalities have escaped the assessment process. The South Side is hit nearly 50% now. Other municipalities, you just can't tell me out of 130 municipalities, 129 municipalities in Allegheny County there are some municipalities with no increases in assessments.

I am asking our Solicitor to get very involved in this. It is definitely going to be counterproductive colleagues. I was talking to a neighbor of mine on 18th Street; she came here from Cranberry Township. We continue to hear that people are going to Cranberry Township. Here is a family that lived in Mount Lebanon, that lived in Cranberry Township that came to the South Side quadrupled her assessment. The only improvement she did was to paint her bricks. She just painted her stone and what does she say to me, Cranberry is looking better and better every day.

Let me tell you, another neighbor tripled their assessment. He passed it onto his renters, two young men. Guess what they're doing? They're moving. Where are they going? Bethel Park Apartments. We just lost or are going to lose this weekend two wage earners. Isn't that counter productive? There is a real problem with that.

Even another example, I think Mr. Cohen knows the family, the Gross family that is from Squirrel Hill. A young man named Lee Gross, I have permission to use his name, at age 21, he is in his mid twenties now, came to the South Side by himself, started fixing up some homes, did a wonderful job on some of our properties. Took 12 dilapidated homes, purchased them for less than $10,000, turned them over, they sold and are now back on the tax role.

Took a few commercial establishments in the South Side, did a wonderful job. I have here a building that he did in Lawrenceville, 4500 block. I think everyone knows this building well, this was where the nuisance bar used to be, the old Sharps Bar, it was a nuisance bar. Look at that building, it is dilapidated. Look at it now, look how wonderful a job he has done to that building. Not only did he evict a nuisance bar in Lawrenceville; he did a wonderful job on the building. He won several awards from Mayor Murphy and this Council. Where am I going with this?

Let me give you an example where I am going now. He also purchased, he is in Lawrenceville now, because South Side property has become an expense and he thought he would go into Lawrenceville because there is so much potential in Lawrenceville. It is a wonderful community, and a fabulous business district. Purchased two buildings on the 3700 block of Lawrenceville. That will be Butler Street if I am not mistaken, 3700 block. Purchased a building, all he did was improve the storefront with the help of the URA, an improvement of $12,500, that's all he did, one improvement. He receives a tax bill, an assessment increase on January 2 of 1998, doubles, doubles from $30,000 to almost

$60,000. What happens, he said he would accept that, he maybe understands it. One month later he receives an assessment for the same building on the 3700 block of Butler Avenue it goes from $55,000 to $110, it doubles again.

Let's be honest, what could have occurred in one month, in 30 days from it first doubles, he accepts it, doesn't do anything else. In 30 more days, it doubles. I am telling you colleagues; this $25 million contract to this out of state firm in Ohio is out of control, out of touch. They don't understand the process.

The County Commissioners should have taken the $25 million hired County and City residents to do the job and do it right. The County Commissioners including other leaders said we needed this initiative so we could have jobs here. They went out and got an Ohio firm. This is a perfect example. Let me tell you why it is effecting all of us. He was closing on another building in the South Side; this is a very small operation. Mr. Lee Gross, A-1 realty, he was closing on another dilapidated building, he walked away from it yesterday. He said he can't, it is not worth it. Why isn't it worth it? He didn't build all these assessment increases, which really means tax increases into his business plan. So he just walked away from a building.

This increase in assessments, what is it doing? Not only is it hurting our senior citizens, working families, all of us including people at this own table, but now it is going to effect the future development and the improvement of properties in the City of Pittsburgh. I think that's a shame.

Let me tell you another, contrary to what the Chair Person said at the appeals board, the burden of proof is going to be on the taxpayer during this appeal process. If you look at their own -- County has suggested rules and appeals. You read it, the burden of proof is definitely, and if you ask any attorney such as Mr. Cohen, Mr. Hertzberg and Mr. Onorato and people that have been before the Appeals Board, you're going to see the burden of proof is on the taxpayer.

Let me tell you another problem, people are honest with me, a woman told me how do I take pictures of someone else's property? First of all she feels uncomfortable doing that and secondly, what if that causes those properties to receive an increase in assessments?

Here's where I am going with this. There is a chilling effect on appealing, on your appeals. I didn't bring it out. People have been telling me this. You can imagine 3,000 property owners, I can't step outside of my house without running into somebody who received their tripled or quadrupled assessment. Your assessment at the hearing could be lowered, stay the same or be raised, or be raised, that's the chilling effect. So many people told me, Gene, I know I am right, but there is no way I am going before that board -- or be raised.

Now colleagues we have raised a lot of issues here regarding the criteria for Act 77 Tax Reform, regarding the appeals, having a longer time for the appeals, regarding what Mr. Cohen's working on with cable TV and we see now the County Commissioners are taking this up. We see the state is taking this up. Let's continue going in the right direction. I think this is a chilling effect.

I am not prepared now, because I didn't talk to my colleagues to see if they

would support a resolution or a motion, but I will be bringing it up next week. I think that should be out of it. That this board should receive a directive from the County Commissioners you can lower it, you can keep it the same, but you're appointed by us and don't you dear raise it, that's a chilling effect. We can't have that chilling effect.

On that note, I would like to say on Wednesday for the entire City of Pittsburgh, especially District Three, Commissioner Larry Dunn with State Representative Frank Gigliotti and myself will be having a special meeting on how to appeal their property assessment. I would like to say this for the viewing public, Mr. President. It is Wednesday, February 18, which is tomorrow evening from 7:00 p.m. to 9:00 p.m., South Vocational Technical School, which is located at 930 East Carson Street, corner of Tenth and Carson Street. Quote legal assistance will be available to help you to fill out the appeal form. Open to the public, but especially those that have witnessed dramatic property assessment increases.

Now fortunately and maybe unfortunately for many people in my district, we are going to be qualifying, because we are helping hundreds, not even dozens, helping hundreds of people fill out the Act 77 Tax Relief Program and the Gentrification Program. So a lot of my residents fortunately or unfortunately because that means their income is low are not going to have to appeal the form and they will qualify under those two programs.

But, colleagues, I think we have to continue what we did last week, what we did a week or two ago by the meeting called by Mr. Sala Udin and Mr. O'Connor. When we talked to the County Commissioners and sort of a shotgun approach. We have to continue that because now it is not only the person who is going to be paying additional dollars but also how is it going to effect people like Mr. Lee Gross who just walked away from a building in the South Side? How is it going to effect those two buildings that he is doing on the 3700 block?

You know what he just said; he's going to fix up the insides. You're not going to have a beautiful looking building like the 4500 block. We have a real problem here. We have a real problem when two individuals come up to me in the South Side, show me the outside of their building, which is dilapidated, showed me they didn't receive an assessment increase, brought me inside and the inside is absolutely beautiful. So what they're saying is we're doing the inside Gene, we're not doing the outside. Can you imagine if that becomes a domino effect in the City of Pittsburgh? If people say why fix up the outside of your building. We all know what that means to the quality of the neighborhood. Colleagues, we have to keep this communication up.

On a very important note, I am asking the Solicitor to get involved though. I believe we have been unfairly targeted. I want to know exactly how District 3 was targeted so heavily? There is no way that our property values have increased to that degree. On that note, I want to thank everyone for all of your support throughout this and your ideas. We have to continue. How absurd that a building can double and then one month later double again. Now is it a mistake? Hopefully it's a mistake. If it is a mistake, it shows you that this firm by Ohio and I told you they needed glasses, they better get more than glasses.

What the gentlemen said at this table is not feasible. There is no way he could have road in the vehicle passed each

property and spent four to five minutes on each property given his time frame and how many minutes are in a day?

He actually said it with a straight face. So obviously I didn't want to embarrass him on camera, just couldn't have been done. Carrie Way in the South Side 20 homes, that's one hour. You tell me there is a car on Carrie Way for one hour that is not going to holdup traffic? I think what these guys are doing, besides us sending them road maps -- next time I see a car that has Ohio plates, I am going to maybe pull the blinds on my car, and say these are the hit people. But thank you very much.

Mr. Diven:

I just want to commend Mr. Ricciardi on his work. I was at a community meeting in Brookline held by Commissioner Dunn. One of the things he talked about was the unfairness of the reassessments for the City. I believe out of the 26,000 assessment increases, 41% came within the City of Pittsburgh. That's a tremendous number when you factor in that we are only a quarter of the county population, that we would receive almost as many -- half of the reassessment increases. I do think we need to remain diligent on this issue and work to try to bring the City's perspective in light with what is going on with the County and the assessment. But I did want to commend Mr. Ricciardi for his work.

Mr. Hertzberg:

I just want to comment on a few things raised by Mr. Ricciardi. The first issue of whether, if you go in and appeal your assessments, whether you could end up hurting yourself by an assessment going up? I think that's a very valid concern. I agree that could have a chilling effect on people and it has a historically I think had that affect.

I want to make sure that if you do work on a resolution don't word it in the manner you just presented it, which might have just been a mistake. But over and over Judge Wettick has emphasized that the Commissioners can't run the Assessments Board. They appoint them and then have to leave them alone. So if we direct the Commissioners to direct the board, we would be falling into that same mistake. We certainly can say that Council feels that the Assessment Board should change their rules.

Mr. Ricciardi:

Thank you.

Mr. Hertzberg:

As far as the legislation that Councilman Ricciardi has introduced and we have discussed and we are going to continue to discuss it, I just wanted to comment on some aspects of it. They are based on our Solicitors opinion on it. The one part of it that I think no matter what the state does or doesn't do, that is going to have to be changed is the issue of how long someone's occupied their premises. It seems like the State Constitution right now, unless that has changed, which of course would require an amendment and much lengthier process than anything else, long time owner occupant. We have to comply with that requirement. Right now the State Legislation says that that is someone who has either lived in their home for ten years or five years. If part of a particular kind of program, and I think that is probably pushing what the common definition of what long time would be. If we are going to come in any earlier than that

or the state will even authorize it, I think we would be pushing the meaning of that term.

I would also like Councilman Ricciardi to consider with whatever we end up with here the confusion with the two different programs that we have now. That is, the one that is under the Regional Asset District Program, of course, and the other one that just seems to be a Gentrification oriented program. I think it is so confusing already that it would be -- I don't know if its in the best interest of the taxpayer or the City, etceteras. If we somehow just have one program, it would at least bring the amount of confusion that is out there down and there is no doubt that there is great confusion out there. I can understand it. I have been dealing with these issues for 15 years as an attorney and there are still some questions that haven't been answered to my satisfaction.

As far as whether the South Side has been targeted or not, I can't answer that. I am sure there is a lot of truth to what Mr. Ricciardi is saying. We have to keep in mind what is supposed to be happening and that is that the ones that are going to be receiving the most reassessments are supposed to be the particular properties that are the most under assessed. I can't help but having noticed that our goal for the South Side at least as I have been on the Directors, on URA and on City Council, has been to improve that area. We certainly spent quite a bit of public dollars to try to improve the area, the goal being to improve it. So if it is being improved, the likely result is the values go up. I think there has got to be a little of that going on as well. You can't have your cake and eat it to. You can't get all this money, get the place improved and then complain because it improved. You are going to have some reassessments with that.

The other issue that I -- maybe we can get some figures from the County or something. The number of reassessments may indicate some unfair kind of practice or other, but I think the real significant thing is not the number of parcels that are reassessed, it is the dollar value or at least some combination. If you have 41% of the parcels but each one is only going up by $100, that might be very insignificant. If you have a piece of property in the City that went up by $1,000, and you have a piece of property in some suburban municipality that went up by a million dollars, obviously they got hit harder out there. So that seems to me to be the more relevant figure which is the dollar value increases as opposed to the number of parcels reassessed.

The Chair:

Anyone else? Mr. Ricciardi, I would like to make a brief statement on what you were talking about. I think it is very important your meeting come up this Wednesday. You have Mr. Gigliotti and if you are talking over 3,000 homes, and Mr. Hertzberg, you may want to form a committee. Mr. Hertzberg has a legal background in this.

I am thinking and again I am just brainstorming, if there are that many people, instead of every individual trying to get help and go in front of them, maybe we go as a group. This represents the South Side area; you are hitting that many people. We will go in as a group.

Again what Mr. Hertzberg said everyone I talked to on South Side or in Squirrel Hill or Greenfield that got assessed said I don't mind paying my fair share, but

shame on you if you haven't come to me in 20 years and say you want to triple my assessments. A widow, anyone or young person just moving in or buying a house or making a payment just getting what they can afford. If their payment is $500 doesn't take it to seven or six, or they are out of business. So there is fairness here and it may take changes in law.

So before just writing resolutions on Council, I think you have enough knowledgeable people you can bring together and really put something in place whether slows them down. Again, I think to Council's credit, we were the ones after the hearing that got a 30-day extension. Maybe we need more extension. How can we write off zones? You just can't pick one target neighborhood and triple their assessments. That's unheard of. That's unfair.

I believe if you have the right people and we can organize the right people behind you. I just want to say for the general public, we are all supporting you. Because we are all getting calls not that great though in numbers, I will be honest with you, I have had a few, but nothing like you have had. But it represents the City, if it happens in South Side tomorrow and we are elected by districts, but I know we all support you and all the people of the City. Exactly for what you're saying. Where doing everything possible to bring people into the City and this is a tool that is chasing them out. We can't sit back. We also can't just talk about it here; we need the legal help. We need the Harrisburg help, and the County help to solve this problem.

Mr. Ricciardi:

On that point and thank you. I guess part of my frustration, colleagues, is the process is so chaotic. I want to bring this up since Mr. O'Connor mentioned it, and because we have to be careful now what the public perceives on the 30-day extension. Maybe the media can help on this. I put out a letter and before I put out my letter I wanted to make sure there was a 30-day extension. I read about it in a newspaper. We called the Appeals Board, they said there is only a 30 day extension for those that there was a mistake in the market value of the properties. Then I called two of the three Commissioners, and they said no, there is a 30-day extension countywide. I said this is what this person told me. They called me back and said they are saying that, but listen to us because we're the Commissioners. So what I am trying to say, I am not even sure whom the 30-day extension covers. I want to be careful that this Council is not saying there is a 30-day extension. I really believe that everyone should really call up and check into it.

Again, I want to thank my colleagues, because I continue to show you frustration, you continue to try to polish some of my ideas and give me direction. I think we need to go in that way. But let me tell you, there is a true problem out there. You know you just read the Sunday paper, and you realize Judge Wittick appears to be a very hard working judge. He is just thrown into a system problem at the last minute that was created over the years. But these three Commissioners really have to get their act together. It is effecting people. In terms of my area, it is not 50, 75, or $100. They are really drastically being increased.

Let me tell you what else, and I am saying this for the record, I have no problems of protecting my neighbors, my friends in the district that I represent. Sure it is great to have development in the South Side. For example, the South Side flats,

sure it is great to have that new development that is going to go on down at the river. But put me on record. If it's going to force the long term South Side residents out of their homes, if it's going to burden their pocket books, their wallets, because something great is happening down the street, and if it is going to be such a burden to them, right now I am ready to repeal the rezoning both down around 16, 17, 18 Streets and the LTV site. This is not Gene Ricciardi just a knee jerk reaction. I thought about this long and hard. People in South Side have told me long and hard, sure it's nice to have nice residents. It is nice to have new neighbors, it's nice to have development, but if it is going to affect us -- now if we qualify for Gentrification, tremendous because that's what Gentrification is supposed to be about.

But I am watching very closely colleagues those Gentrification that are coming into the City. Many are being hand delivered by Gene Ricciardi. If they are approved, everything is okay. If they are denied, you watch me repealing some of the rezoning. It's my responsibility to protect the people who put me in this seat. That's people that are there now, not the people who might be there next year.

So, Mr. Hennigan listen very carefully, Dr. Birru, who I respect very dearly, listen very carefully, watch those Gentrification forms and qualify each and every person from my district. If not, I will be working very diligently with the City Clerk staff, our professional staff, and repealing many, many zoning, requests. Thank you.

Mr. Onorato:

I want to add one thing to the conversation. I agree 100% with Councilman Ricciardi. But I want to point out even if we are renovating certain areas of the City and the Assessment Board takes that opportunity to do a reassessment of the last 30 years as opposed to a reassessment based on the small improvements to a home, that's what we are talking about. Taking an addition or remodeling of a home and they are trying to catch up for the last 30 years all in one clean sweep. If that's the case, don't forget colleagues that our millage rates reflected the fact that we were so called under valued. If we are going to catch it up all in one clean sweep in one year, maybe we ought to revisit the millage rates.

I am going to tell you, by the end of the year, if we don't have the appropriate adjustments to these outrageous increases and there is a huge win fall to this City, which is really a back door tax, I am going to be asking my colleagues to revisit the millage rates. I am also going to be asking my colleagues with the resolution if we have to force the School Board to do the exact same thing.

If we are going to take the benefit of a back door tax and then pretend that we had nothing -- we had no control over it, I think that is misleading the public. We do have some control when it comes to the millage rate. It is either one or the other, either we are going to catch up all of the assessments and then adjust the rates so that the people are not taxed out of their house or we're going to take these outrageous increases and roll them back. One or the other has to happen within the next 12 months.

The Chair:

One final word, your meeting is Wednesday evening; I know Thursday morning the Commissioners meet. It maybe too soon, but maybe the following Thursday

your residents, who are by the way Allegheny County residents, aren't they, Mr. Ricciardi?

Mr. Ricciardi:

Yes.

The Chair:

Maybe we can go over there. We are glad to have them in Council but that's where all this starts. So maybe you want to get the organization to go to the Thursday meeting, Commissioners meeting with the media to let them know how they really feel.

Mr. Ricciardi:

Just to clarify, it really is Commissioner Larry Dunn's meeting where Frank Gigliotti and myself Gene Ricciardi have been invited too.

On another note, I would like to congratulate the City of Pittsburgh URA, the County Development Department, Director Birru and also our colleague Councilman Allen Hertzberg. I think working together, that was just a great neighborhood political plum for the City of Pittsburgh and Allegheny County and hopefully recruiting an Italian firm to come to Allegheny County and start business here.

I think it is going to mean jobs. I have always said what is good for Monroeville is good for Pittsburgh, and what is good for Pittsburgh is good for Monroeville. I am sure our neighbors are doing fine. We will be doing fine. I am sure some of those jobs will go to City residents.

I wanted to congratulate all of them and I really think that this is the first step in showing why hopefully that we made the right choice when we merged those two under the leadership of the very able, the very able, Director Birru, thank you.

The Chair:

Thank you, very good point.

Any more discussion? Motion to excuse the absent member?

MS. MCDONALD moved to excuse the absent member.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes?

MS. MCDONALD moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn.

MR. ONORATO moved to adjourn the meeting.

MR. RICCIARDI seconded the meeting.

Which motion prevailed.

And with the motion made by Mr. Onorato, meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *February 24, 1998* *No. 8*

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 24, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

Can we all please stand for the pledge of allegiance to the flag and please remain standing for a moment of silent prayer for peace and hope throughout the world. We would like to remember Frank Ferlo, brother of Jim Ferlo, in our prayers who passed away last week.

With us today we have the Kindergarten class from Squirrel Hill Jewish Community Center to help us in the pledge. They are all in my district.

Students of Squirrel Hill Jewish Community Center:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one Nation, under God, indivisible with liberty and justice for all.

The Chair:

Thank you very much. We have a flag of our City and of our country for your teacher Bonnie Markowitz.

We have some special guests in the audience. Kids, you want to stay close so you can watch. That cheese you said was very appropriate. So would the Disney on Ice productions please come up.

This is a very exciting day in Council. I will read the resolution. It is our honor and pleasure to have you here in Council.

PRESENTATIONS

MR. O'CONNOR PRESENTS:

No. 149 WHEREAS, Walt Disney productions have, for generations, brought smiles and laughter to children of all ages living across the City of Pittsburgh, throughout the United States of America, and around the world.

WHEREAS, Disney on Ice- Hercules is an outrageous and irreverent tale of deceit and destiny with a modern twist of love, laughter, and a good helping of incredible ice skating performed by an international cast of competitive skaters-turned-performers.

WHEREAS, the plot of Disney on Ice - Hercules is the exuberant tale of how the attempts of the conniving and bitter character Hades to overthrow Zeus from his throne on Mount Olympus are stone-walled by the vibrant Hercules; his trusted friend, Pegasus; and his satyr sidekick, Phil; and how along the way the young strongman falls in love with a beautiful brazen woman named Meg.

WHEREAS, this limited engagement will run from February 24 to March 1, 1998, in the City of Pittsburgh's Civic Arena and is a production of world-renowned showman Kenneth Feld of Feld Entertainment.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the cast and crew of Disney on Ice - Hercules to the City of Pittsburgh, and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of February 24 to March 2, 1998 "Disney on Ice - Hercules Week" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. ONARATO seconded the motion.
Which motion prevailed.

The Chair:

Welcome Hercules. Who is going to speak?

Mr. Kane:

I would like to thank Councilman O'Connor and Mayor Murphy and the rest of City Council for allowing Mickey Mouse and Hercules to invade their town meeting. I would like to present Councilman O'Connor with the official Hercules on Ice ticket which will allow him to come to any performance of his choice with as many guests as he would like.

Feld Entertainment brings in three shows a year to Pittsburgh. It's always been and always will be one of the favorite cities to come back to.

We would just like again to thank Councilman O'Connor and Mayor Murphy for their hospitality. Thank you.

The Chair:

Thanks a lot for coming down.

Ms. McDonald:

We would like to ask WQED representatives to please come forward so we can give a note of thanks for asking the City of Pittsburgh to participate in the sweater drive. It was a big success. This is just a word of thanks.

WQED in celebration of Mr. Rodgers Neighborhood had conducted sweater drive. The collection was held officially on Saturday. Our office had asked the entire City of Pittsburgh, at least employees downtown as well as people visiting the City County Building, to participate, to donate sweaters used and new, to put into boxes that were located on the Grant Street exit and on the Ross Street Exit. My staff had come Saturday to collect the sweaters to take down to WQED.

I am very very proud to say that they got tired of counting after 500 sweaters. I want to applaud all of the people that are employed in this City County Building and

other people employed in surrounding areas that decided to come over to the City County Building to donate a sweater, because it did help a worthy cause.

My staff had told me that on Saturday it was nuts. There were people all of over the place; sweater mounds like salt, like mounds of sweaters, millions of sweaters it seemed.

So without further ado, I want to again applaud all those who participated. I think the City did come together. Zone three also conducted their own sweater drive, Zone Three Police Station. They acquired 300 sweaters to donate. I would like now to introduce representatives of WQED. We have George Miles, the CEO, Quaylin Zarr (phonetic) Director Community Relations, and Mr. McFeilly our special guest. This is a real festive time in Council.

So again, I would like all of you all to please have some comments to say. Thank you.

Mr. Miles:

Thank you, Councilwoman McDonald. We really appreciate being here. We also really appreciate being here because many times I am mistaken for Sala Udin. I would like to know exactly his place. But thank you very much.

I would like to thank the City Council for their support through this sweater drive. I have been involved in a number of community events relative to being in broadcasting. I have never seen anything like this in my entire career. We collected over 35,000 sweaters, over about a month and a half period, 35,000 sweaters.

The other thing so extraordinary about this event on Saturday was that since I have been back in Pittsburgh now three half years, this is the first time I have seen all parts of this community come together for something very special. Old, young, white, yellow all parts of this region coming here to donate sweaters. This was a very very special day for WQED Pittsburgh. Our objective is to be about this total community, bringing this community together, Saturday was really about that.

So I really want to thank the City Council. Also, I especially would like to thank President O'Connor. He was there on Saturday not only helping us bring in bags, out there directing traffic and really being a very big supporter. I think there is a second career for him out there directing traffic. But thank you so much and with that I would like to have Mr. McFeilly make a special speedy delivery to speedy Council.

Mr. McFeilly:

On here it says, thank you, George, Certificate of Appreciation presented to Pittsburgh City Council and on behalf of Mr. Rodgers Neighborhood's 30th Anniversary on public television.

Let me say one little postscript to all of this, in 1954 there was a program on WQED, it is the first public broadcasting station in the country, community supported and it goes back 45 years. The first program on that station WQED was called the Children's Corner produced and written by Fred Rodgers. Here we are almost 45 years later still producing from Pittsburgh.

That's what I wanted to make a point of today. It is coming right from our neighborhood of Pittsburgh all these many years, and it is now in many foreign countries. So it comes right here and it is my

pleasure to present. Thank you all and thank you for helping bagging the sweaters. This says, Pittsburgh City Council. I guess I will do it, can you be the official?

The Chair:

Valerie did all the work.

Mr. McFeilly:

Valerie and here we go -- I will count to three -- everyone count to three and we will all say speedy delivery. Thank you very much.

Mr. Miles:

There are two other things, one is to first of all to really thank Councilwoman Valerie McDonald for coordinating this effort for us and we really appreciate that. The other thing you should know, is the sweaters, the 35,000 will not stay at WQED Pittsburgh. I will not be giving out sweaters for Christmas. But what will happen is that those sweaters will be picked up by the Salvation Army and working through the United Way we will be distributing those sweaters throughout South Western Pennsylvania for those who need it. Thank you.

The Chair:

I want to -- Ken from your office and Twanda actually drove the City Van down loaded with sweaters. We had so much traffic and we didn't have -- they didn't order a traffic cop, so I called. Like three police cars came, all at different times, but they were all full of sweaters from the different stations. We had a minister from Homewood in an old truck coming in and his van was full of sweaters and kids in them.

The last, but not least, we had a beer truck, tractor-trailer from Latrobe who I think was from all the Letter Carriers in Latrobe. So, we opened the door and it was actually filled to the brim, a tractor and trailer.

It was really a coming together, and I want to commend all of you, and congratulations. It was exciting to be there. Thank you very much.

Ms. McDonald:

Okay now it's time for another special treat. Would the students from Rogers Capa please come forward as well as Ms. Taliaferro the principal of Rodgers? We have a special performance by these students in honor of Black History Month. I just want them to come forward.

I am going to read the resolution and then you're on. Again, the Principal of Rogers School for the performing Arts is Ms. Ronda Taliaferro and the dance interpretation that you will be seeing later is going to be performed by Ira Cambric and Daquaila Donald. They will have a dance interpretation to Come Ye, Disconsolate. This is by Donny Hathway and Roberta Flack, two of my favorites. But I am going to read the resolution first.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 150 WHEREAS, as a special tribute to Black History Month we would like to pay homage to the Arts; and

WHEREAS, Webster Dictionary defines the Arts as such: human creativity; any craft or its principals; a making of things

that have form or beauty; drawings, paintings, statues, etc.; and

WHEREAS, African-Americans have a rich legacy in the Arts. Artist that include: Lena Horne, Billy Strayhorn, Billy Eckstein, George Benson, Etta Cox, Ahmad Jamal, August Wilson, and Rob Penny all of which are Pittsburghers. Other African-American artist such as, **Dancers,** Debbie Allen and Gregory Hines; **Authors,** Toni Morrison, Alice Walker, J. California Cooper, and Terri McMillian; **Author/Poet,** Maya Angelou; **Movie Producers,** John Singleton, Julie Dash, Robert Townsend, and Spike Lee; **Artist**, Romaine Bearden, Kathleen Wilson, and Jay C. Bakari - the list is infinite; and

WHEREAS, today we recognize youth that are involved in the Arts. Students from Rogers School of Performing Art will provide us with an African-American dance interpretation with music by Roberta Flack and the late Donnie Hathaway.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes the many achievements of African-Americans in the Arts who have paved the way for the youth of today. We commend the efforts of schools such as Rogers School of Performing Arts for giving our youth the platform needed to express themselves through dance, song, and music. Also, by educating the students to achieve at their highest levels in academics.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Now not only do we have dancers but we also have a singing performance by a choir. I am going to turn the mic over to Ms. Taliaferro who will expound upon what you are about to see.

Ms. Taliaferro:

Thank you very much and good morning everyone. I am delighted to share with you this morning our dancers Dequaila Donald and Ira Cambric who will do a dance interpretation in honor of African-American History Month. Again, when we talk about learning of cultures, that's a year long process. Right now we just happen to celebrate it today or in this month. But we ask you to enjoy this experience.

We are honored to say that these are both eight graders who will be leaving Rodgers. Daquaila has been accepted to Virginia School of the Arts where she will pursue dance. Right now Ira is continuing to apply, and we think North Carolina School of the Arts might enjoy his talent.

I am very delighted to present to you our vocal musicians, Valene Rex, Charity Kimes, Megan Stogden, Kristen Lee, Tanyia Rue, and Johnathan Ballard. Along with our very distinguished dance instructor Mr. Tony Dixon. If you had an opportunity to enjoy the Harlem Nutcracker recently, he was the one who was responsible for -- the rehearsal Director. So, we are delighted with the many talents and interests here at Rogers Capa and we hope you will enjoy today as well.

(A dance performance by Ira Cambric and Daquaila Donald.)

Ms. McDonald:

Next we have the choir.

Ms. McDonald:

Councilman Udin who is co-sponsoring this resolution.

Mr. Udin:

I want to just extend a special thanks not only to the performers but also to Ms. Taliaferro. She has been an inspiration to young people including my own children for many many years.

She always puts others up front while she stands in the background, but you make a tremendous influence in the lives of a lot of young people and I really appreciate it.

Ms. McDonald:

They had one more song that they want to do.

Ms. McDonald:

That is on behalf of Black History Month. I also want to remind the listening audience that Parks and Recreation is having one more celebration of Black History Month. It will be this Friday, February 26, 1997; it will be the last Friday.

There will be an exhibit, brochures information in the lobby of the City County Building on historically black colleges. We have had a number of people visit, especially young people. So it has been successful. We urge anyone who is interested to come down to the City County Building lobby and pick up information.

On Friday the guest speaker in City Council Chambers will be Esther Busch, CEO Executive Director of the Urban League. If we know Esther, she can speak very well.

Again, if you would like to come, come on down. We normally do have a high school that will be scheduled to be in the chambers to listen to the guest speaker. Last time we had a Steelers football player and he was excellent.

MS. MCDONALD PRESENTS:

No. 151 WHEREAS, the Sickle Cell Society, Inc. is celebrating their Sixth Annual Recognition Dinner on Thursday, February 26, 1998 at the Westin William Penn Hotel; and

WHEREAS, the primary focus of the Sickle Cell Society is to treat, counsel, educate the patient, and educate the community on the Sickle Cell Disease; and

WHEREAS, one out of every four hundred (400) African-Americans carry the sickle cell gene and one out of every eight (8) African-Americans carry the trait. This disease is a major health problem within the African-American community; and

WHEREAS, this year the Sickle Cell Society is proud to honor Mr. John C. Brown, Jr., Vice President/District Manager of PNC Bank. Through Mr. Brown's efforts the Sickle Cell Society in 1987 was able to build the first comprehensive community-owned Sickle Cell Center in the United States; and

WHEREAS, upon leaving the Pittsburgh Steelers, Mr. Brown joined PNC Bank, where his career developed from a Community Banking Officer, Credit Analyst for International Banking, and Assistant Vice President to his present position of Vice President/District Manager

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Sickle Cell Society, Inc. and Mr. John C. Brown, Jr. for their efforts in committing to educate African-Americans and the community at-large on the effect of Sickle Cell Disease.

MR. ONORATO PRESENTS:

No. 152 WHEREAS, the James Street Restaurant located at 422 Foreland Street in East Allegheny first opened August 27, 1987; and

WHEREAS, the James Street is Pittsburgh's only authentic "New Orleans style" restaurant; and

WHEREAS, the James Street is pulling out all the stops for their "Seven Days of Mardi Gras" by hosing the longest Jazz Jam in the City; and

WHEREAS, "MARDI GRAS AT THE JAMES STREET" begins Wednesday, February 18th with a kickoff party with jumbo hurricane drinks, prize give-aways, local celebrities and live jazz; and

WHEREAS, the celebration continues every night through Tuesday, February 24th, with jazz favorites such as Kenny Blake, Jimmy Sapienza's "5 Guys Names Moe", Mon Gumbo, Dixie Doc, Bottom Line with Lovey Green, the Boilmaker Jazz Band, R.H. Factor, and the Pittsburgh Banjo Club; and

WHEREAS, "JAZZAPALOOZA", 8 hours of jazz by over 80 of Pittsburgh's best musicians including Jimmy Sapienza, Roger Humphries, Kenny Blake, Walt Harper, Rodney McCoy, Ken Karsh will take place Sunday, February 22nd.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates owner Craig Poole and all of the employees of the James Street on their Mardi Gras celebration.

MR. ONORATO moved to adopt the resolutions.

MR. FERLO seconded the motion.

Which motion prevailed.

(President O'Connor relinquished the Chair to Councilwoman McDonald, President Pro Tem)

President Pro tem:

So that you know for the record, President O'Connor had to leave for a funeral, it is an 11 o'clock mass that's why he had to exit out of here. I am taking over right now.

Now moving to presentation of papers.

MR. HERTZBERG PRESENTED:

No. 153 Ordinance Supplementing Pittsburgh Code Title Four: Public Places and Property, Article I: Streets and Sidewalks, by adding Chapter 423: Unauthorized Roadside and Utility Pole Signs Prohibited.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 154 Resolution Providing for an agreement or agreements by and between the City of Pittsburgh (City) and Allequippa Terrace Common Area Limited Partnership (Allequippa Terrace) in connection with the reconstruction and redevelopment of the Allequippa Terrace project in the City.

No. 155 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for the purchase, repair, refurbishing and/or rental of equipment, and providing for the payment thereof, not to exceed Four Hundred Fifty Thousand ($450,000.00) Dollars, chargeable to and payable from Account 500000, Fund 5100, Org. 400000, SubClass PGHPR, Project 2249412, Budget Year 1998, Capital Equipment Acquisition, Department of Public Works.

No. 156 Resolution Granting unto Frank J. Zottola, Box 180, Valencia, Pa. 16059, his, successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on Yazoo Way and Smallman, 6th Ward, 7th Council District, of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. ONORATO PRESENTED:

No. 157 Resolution providing for the issuance of a warrant in the amount of $5,060.00 in favor of Agnes Vogel for reimbursement of costs incurred to repair property damages caused by a contracting firm hired by the City to complete a building demolition, charging same to Code Account 46, Judgements. **(SPONSORED BY MR. ONORATO)**

Which was read and referred to the Committee on Finance and Budget.

No. 158 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in Redevelopment Area No. 35 in the 27th Ward of the City of Pittsburgh (Council District No. 1): 27th Ward, B&L 115-E-35 (part), Address Weitz Way. **(SPONSORED BY MR. ONORATO)**

No. 159 Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Armand and Anna Borgese for the Sale of Block 115-E, Part of Lot 35, in the 27th Ward of the City of Pittsburgh, in Redevelopment Area No. 35 (Council District No. 1 - Weitz Way- Sideyard). **(SPONSORED BY MR. ONORATO)**

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 160 Resolution Transferring the amount of $25,000 from Account 511000, Sub-Class 010 Salaries, Fund 1000, Organization 101200, Budget Year 1998 to Account 525500, Sub-Class 150 Miscellaneous Services, Fund 100,

Organization 101200, Budget Year 1998, both within the Office of City Clerk. **(SPONSORED BY MR. UDIN)**

No. 161 Resolution Authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Economic Development Marketing fund, dedicated to attracting jobs and businesses to the City of Pittsburgh, total cost not to exceed $75,000, chargeable to and payable from Account 526100, Fund 1000, Organization 999222, Sub Class 300, Budget Year 1998.

No. 162 Resolution Amending and supplementing Resolution No. 838, effective January 1, 1998, entitled, "Resolution adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections.

No. 163 Resolution Providing for an Agreement with a qualified vendor for the lease/ purchase of professional services, computer software and hardware, equipment and related items associated with the installation, implementation and maintenance of the Department of Finance Integrated Tax Collection, Processing and Monitoring System for Self-assessed Tax Units (the "System"), and providing for the financing of said System through an Agreement with a qualified finance company.

No. 164 Resolution Providing for an amendment to "Ordinance N o. 527, approved November 22, 1974, entitled, "Providing for an agreement/s for compensation to the City for the cost of services rendered by the Office of the City Treasurer in the billing and collection of taxes imposed by the School District," so that by such an Amendment the School District shall be obligated to pay its share of the cost of professional services, computer software and hardware, equipment and related items associated with the installation, implementation and maintenance of the Department of Finance Integrated Tax Collection, Processing and Monitoring System for Self-assessed Tax Units (the "System).

No. 165 Communication from Barbara M. Parees, Director, Department of Personnel and Civil Service Commission, requesting permission for Don Carlson, Pittsburgh Private Industry Council Member, to attend the 1998 National Association of Private Industry Councils Forum to be held in Washington, DC from March 1-3, 1998. Total cost shall not exceed $1,622.00, chargeable to and payable from JTPA-1 Trust Fund.

Which were read and referred to the Committee on Finance and Budget.

UNFINISHED BUSINESS

THE CHAIR PRESENTED:

Bill No 84:

A Resolution authorizing the reappointment of Sandra Rosen as a member of the MBE/WBE Review Committee term to expire April 30, 2000.

The Chair:

This is a final vote. We will have a role call vote on the appointment of Sandra Rosen to NBE Review Committee. Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin

AYES Eight NOES None

Bill is approved.

REPORTS OF COMMITTEES

The Chair:

Now we will move to Reports of Committees.

MR. UDIN PRESENTED:

Bill No. 166:
Report of Committee on Finance and Budget for February 18, 1998, transmitting two ordinances and sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 31:

Resolution providing the issuance of a $3,774.87 warrant in favor of William Weinel in settlement of a claim in which City Public Works employees accidentally cut trees and shrubs on claimant's property, and the issuance of a $725.13 warrant in favor of Treasurer, City of Pittsburgh in satisfaction of delinquent Real Estate taxes for 1997 owed by Mr. Weinel.

Which was read.

Also,

Bill No. 96:

Resolution amending No. 56 of 1996 which authorized an agreement with a collection agency for collection of delinquent fines, etc. to the Magistrate's Court; so as to extend the term of the contract until February 29, 2000.

Which was read.

Also,

Bill No. 116:

Ordinance amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Chapter 255, "Realty Transfer Tax", Section 255.01, "Definitions", and Section 255.03, "Exceptions", by creating exceptions for certain transfers involving living trusts, transfers between brothers and sisters and their spouses or transfers between a grandparent and a grandchild or the spouse of a grandchild, by eliminating the 90 day limitation on transfers between persons who were previously husband and wife, and by requiring that certain subsequent transfers made within one year be subject to tax. **(SPONSORED BY MR. ONORATO)**

Which was read.

Also,

Bill No. 117:

Ordinance amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Chapter 256, "Home Rule Realty Transfer Tax", Section 256.01, "Definitions", and Section 256.03, "Exceptions", by creating exceptions for certain transfers involving living trusts, transfers between brothers and sisters and their spouses or transfers between a

grandparent and a grandchild or the spouse of a grandchild, by eliminating the 90 day limitation on transfers between persons who were previously husband and wife, and by requiring that certain subsequent transfers made within one year be subject to tax. **(SPONSORED BY MR. ONORATO)**

Which was read.

Also,

Bill No. 118:

Resolution Transferring the amount of $15,000.00 from Account 525900, Organization 999200, Sub Class 150, Miscellaneous, City-wide Non-Departmental to Account 511000, Organization 106000, Sub Class 010 Salaries, City Controller. Budget Year 1998. **(SPONSORED BY MR. RICCIARDI).**
Which was read.

Also,

Bill No. 126:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

(A) 217 Roup Street, 8th Ward, Block 51-D, Lot 177, being sold to Friendship Development Associates c/o John Murray-Coleman, President, $8,000.00. Two and one half-story frame house situated on lot containing 6,095 sq. ft. Intended Use: Renovate & Resell. Council District 8.

Which was read.

Also,

Bill No. 127:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 8320 Bricelyn Street, 13th Ward, Block 231P, Lot 55, being sold to Mark G. Collins, two story frame house situated on a lot containing 5,000 sq. ft., $1,000.00. Intended Use: Personal Residence. Council District 9.

(B) 7001 Susquehanna Street, 13th Ward, Block 125S, Lot 22, being sold to James B. & Joyce A. Moreland, 2 ½ Sty. Fra. Hse. Situated on a lot containing an area of 2,790 sq. ft., $500.00. Intended Use: Investment. Council District 9.

(C) 7224, Susquehanna Street, 13th Ward, Block 174N, Lot 305, 2 1/2 sty. Fra. Hse. And one car c.b. gar. Situated on a lot containing 2,500 sq. ft., $1,000.00. Intended Use: Investment. Council District 9.

(D) 301 Burr Street & 420 Mountain Avenue, 16th Ward, Block 32-B, Lots 107 & 142, being sold to Lighthouse Church c/o Rev. Maurice C. Trent. Two vacant lots containing a combined area of 25,183 sq. ft. Intended Use: Build a church. Council District 3.

(E) 1530 Monterey Street, 25th Ward, Block 23E, Lot 257, being sold to Daryl L. & Linda Winner, ½ st. fra. Alum. Sidg. Hse. Situated on a lot containing 1,600 sq. ft.,

$1,500.00. Intended Use; Rehab for rental. Council District 6

(F) 1532 Monterey Street, 25th Ward, Block 23E, Lot 256, being sold to Daryl L. & Linda C. Winner, ½ 2 sty. Fra. Shgl. Dble. Hse. Situated on a lot continuing 1,600 sq. ft., $1,500.00. Intended Use: Rehab for rental. Council District 6.

(G) 1-3 Hyoid Way, 6th Ward, Block 26-A-1 & 3, being sold to Jon P. Leimkuehler & Ellen H., $1,200.00. Two vacant lots containing a combined area of 851 sq. ft. Intended Use: Off street parking. Council District 7.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

The first bill, Number 31, is this warrant in the amount of $3774.87 for accidentally cut trees and shrubs. I abstained from voting at the last Standing Committees Meeting. I was waiting for a report from the Solicitor with some legal authority for the idea that the appropriate measure of damages or the cost of repair or to purchase new trees and plant them versus the loss and the value of the property caused by the act. I haven't received that yet. I don't know how concerned the rest of Council is, but if we are going to have the final vote today, I would have to vote no.

The Chair:

Any other discussion on this bill? What is the pleasure of the body? The Bill is now ready for final action.

Mr. Ricciardi:

I am prepared to vote for the bill unless there is a recommittal obviously for the information that Mr. Hertzberg needs. I just think that the facts are here and very clear cut. They come from Public Works, they come from our Law Department and we did do damage to this gentleman's property. He should be reimbursed.

MR. HERTZBERG moved to recommit.

MR. FERLO seconded the motion.

Which motion prevailed, Bill is now recommitted.

The Chair:

The remaining bills are now ready for final action. Any other discussion on any of the other bills? All in favor of the passage of the remaining bills vote aye when your names are called, all opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
	Ms. McDonald (Pres't Pro tem)

(MR. UDIN ABSTAINED ON BILL 118)

Mr. Hertzberg:

Point of order. Can I ask the Clerk's office to communicate that concern to the City Solicitor's office? It might have just slipped through.

Mr. Onorato:

Point of procedure too. Councilman Hertzberg's question is very relevant. We will have an opportunity -- I submitted a bill today, I did not waive Rule eight, it will be up next Wednesday, for the exact same payment, for the exact same type of problem dealing with one of our subcontractors. But it is going to be the exact same issue.

The debate is how do we determine what is the damage. I think we are going to need that answer anyway, I would hope that they can bring it up during the discussion of that bill.

Mr. Udin:

Councilman Ferlo has frequently mentioned the need to use examples as to what we are paying out for. In this situation on the South Side, as indicators of what changes need to be made managerially so that incidents like this in the future don't occur.

The same had been asked of the Department of Public Works. In this situation, I would hope that the department would take the direction seriously and inform Council as to what managerial steps have been taken to insure that this kind of incident doesn't happen in the future

The Chair:

Would Councilman Hertzberg please stay in touch with Council members as to any future developments? If there would be a meeting convened as chair of Public Works, you would do that.

Mr. Hertzberg:

I will communicate that directive to Public Works and ask them what changes they have or will be making.

The Chair:

The bills have received the legally required number of votes are finally passed.

MR. HERTZBERG PRESENTED:

Bill No. 166:

Report of the Committee of Public Works, Water and Environmental Services for February 18, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 110:

Resolution Amending Resolution No. 1383, approved December 30, 1980, effective December 30, 1980, as amended by Resolution No. 1180, approved December 27, 1979, effective December 31, 1979 entitled "Authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania, providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City limits", by designating that all such reimbursements received from the Pennsylvania Department of Transportation shall be deposited into the Liquid Fuels Tax

Trust Fund and by adding certain state highways.

Which was read.

Also,

Bill No. 111:

Resolution Granting unto The Buncher Company of 5600 Forward Avenue, Pittsburgh, PA 15217, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, an aerial encroachment and sub-surface encroachment at 13th Street between Penn Avenue and Smallman Street, extending to 14th Street, 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 112:

Resolution Granting unto The Department of Engineering and Construction, City of Pittsburgh, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, concrete steps and ramp along front of building on Dartmore and a two-story elevator tower with attached room on Englert side, 32nd Ward, 4th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 113:

Resolution Granting unto Seddon and Frances Bennington, their, successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, 2 Banner Signs and 3 Canopy/Awnings on Liberty Ave. in the 2nd Ward 6th Council District, City of Pittsburgh,

Which was read.

Also,

Bill No. 114:

Resolution Authorizing the Director of the Department of Public Works to provide a license agreement with Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, Pennsylvania 15230 to install one pole on City owned property along Windom Street in the 17th Ward 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 115:

Resolution Vacating a portion of Allequippa Street from Whitridge Street to westerly terminus, 5th Ward, 6th Council District of the City of Pittsburgh. (Council District 8).

Which was read.

The Chair:

You have heard the reading and title of the bills any discussion on the bills? If not the bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called, if opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro tem)

AYES Eight NOES None

Bills having received the legally required number of votes are finally passed.

MR. ONORATO PRESENTED:

Bill No. 168:

Report of the Committee on Planning, Zoning, and Land Use for February 18, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 90:

Resolution providing for an Agreement or Agreement with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention, and essential services of said Agencies, at a total cost not to exceed $839,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? If not, the bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called, if opposed vote no.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro tem)

AYES Eight NOES None

Bill having received the legally required number of votes, has been passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 169:

Report of the Committee on Housing Economic Development and Promotion for February 18, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 119:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $525,000.00 for the Allequippa Terrace Project (Council District 6). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 120:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $1,450,000 for South Side Riverfront Development (Council District 3). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 121:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $300,000.00 for the Lawrenceville Shopping Center Project (Council District 7). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 122:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $1,500,000 for the Downtown Cultural District (Council District 6). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 123:

Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pittsburgh Housing Development Corporation for the Sale of Block 174-J, Lot 346, in the 13th Ward of the City of Pittsburgh, in Redevelopment Area No. 34 (Council District No. 9 - 802 North Lang Avenue - Residential Rehabilitation). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 124:

Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in 14th Ward of the City of Pittsburgh (Council District No. 5 - Site Assemblage): 14th Ward, B&L 128-N-28, Address Fernwald Road; 14th Ward, B&L 128-N-30, Address Fernwald Road. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 125:

Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to

acquire that property in the 3rd Ward of the City of Pittsburgh owned by the Bedford and Crawford Associates and designated as Block and Lot Numbers 9-S-148-2A, 148-2B, 148-2C, 117, 129, 130, 131, 132, 133, 119, 123 and 124 in the Deed Registry Office of Allegheny County. (Gilmore Street and Peach Way - Council District Number 6). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Thank you, Madam Chair, I do want to thank my colleagues, Councilman Hertzberg who sits on the URA Board and also Councilman Ricciardi who Chairs this committee and most notably the Mayor, obviously and Director Birru. The additional $300,000 in infrastructure support for the Lawrenceville Shopping Center is very much needed. I want to thank them for their continued commitment and support.

This project is back on track, full steam ahead. It will be the first major new drugstore in the City that actually has a drive through pharmacy. We have signed an additional retailer Hollywood Video, which is a competitor of Block Buster. So between the supermarket and the new drug store, and the new video outlet and the other potential for some of the retail, this is going to be a great project that is obviously needed, not only by residents in Lawrenceville but by my surrounding communities in District Seven.

So, I wanted to thank all involved. I will note that this is not only a prevailing rate job, but it is totally a union job also. I would hope that others can make that effort. I know there has been a lot of effort by the Mayor and my colleagues and I hope that some of the other problems that have arisen in my absence in the last few days can be resolved at the East Liberty site. But I want to thank all of Council for their continued support of this major economic reinvestment of the Butler Street Corridor.

The Chair:

Thank you and welcome back. Any other discussion on any of the remaining bills? Bills are now ready for final action. All in favor of the passage of the bills will vote aye when your names are called, if opposed vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro tem)

AYES Eight NOES None

The bills having received the legally required number of votes are passed finally.

MR. DIVEN PRESENTED:

Bill No. 170:

Report of the Committee on Public Safety Services for February 18, 1998, transmitting

two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 106:

Resolution Providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, not to exceed $500,000.00 chargeable to and payable from Code Account Community Development, Peoplesoft Fund 2610, Organization 274300, Appropriation C1998, Year 1998, Project 2210011, Account 526500, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which was read.

Also,

Bill No. 107:

Resolution Providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, not to exceed $600,000.00 chargeable to and payable from Code Account Capital Project Funds, Peoplesoft Fund 5100, Organization 274300, Appropriation PGHPR, Year 1998, Project 2210011, Account 526500, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Cohen:

Just briefly this is a result of City Council's resolve to put more money into the demolition of buildings. I think Councilman Onorato increased our Capital Budget for 1998 to do that.

I want to thank BBI for moving forward quickly to get that done. I have several in my district that I am working on to get demolished and to put the property back on the market. I am sure my colleagues do as well, so let's move forward.

The Chair:

Thank you Councilman. Any other discussion? If not, bills are ready for final action. All in favor of the passage of the bills vote aye when you are names called, all those opposed will vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro tem)

AYES Eight NOES None

Bills having received the legally required number of votes, are passed finally.

MR. FERLO PRESENTED:

Bill No. 171:

Report of the Committee on Engineering and Construction for February 18, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 109:

Resolution Providing for an Agreement or Agreements, or use of existing Agreements for the Design of the Replacement of the Allegheny Park Pedestrian Bridge; and providing for the payment of the costs thereof, not to exceed $50,000.00 chargeable to and payable from, Account 6000000, Fund 5100, Org, 301000, Sub-Class, PGHPR, Project/Grant 2248890, Budget Year 1998.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on this bill? If not, the bill is now ready for final action. All in favor of the passage of this bill, you will say aye when your names are called, all those opposed vote no.

Will the Clerk please call roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro tem)

AYES Eight NOES None

The bill having received the legally required number of votes, has been approved finally.

MOTIONS AND RESOLUTIONS

The Chair:

That concludes our Reports of Committees. Now moving to Motions and Resolutions.

THE CHAIR PRESENTS:

No. 172 A resolution re-appointing the Honorable Sala Udin as a member of the Housing Authority of the City of Pittsburgh, term to expire December 31, 2002.

No. 173 A resolution appointing Ronald Wilson as a member of the Housing Authority of the City of Pittsburgh, term to expire December 31, 1998.

The Chair:

You have heard the readings of the resolutions, what is the pleasure of the body? I personally think we need to interview Councilman Udin. What is the pleasure of the body?

MR. ONORATO moved to immediately approve Councilman Udin's appointment and bring the other gentleman in for questioning.

MR. FERLO seconded the motion.
Which motion prevailed. Councilman Udin is re-appointed to the board of the Housing

Authority of the City of Pittsburgh.

The Chair:

What is the pleasure of the body of the other recommendation?

Mr. Ferlo:

Under motions and resolutions? Madame President, I want to thank my colleagues and the Clerk staff and my own staff and a lot of friends and supporters for offering their condolences at the loss of one of my older brothers, my brother Frank this past week.

As you know I lead a spirited group of Pittsburghers to Cuba this past week and some 15 people from neighborhoods throughout the City from all walks of life. It was a great delegation. I will report later on to my colleagues and to the community about the trip.

We interacted greatly with the community residents and representatives from various institutions. It was tragic that I left. I do want to note that my brother put the word family and family values first, he leaves a beautiful wife and three of his own grown children and 5 grandchildren. He died with a lot of dignity having fought and lost the battle against a very unusual brain tumor. I do want to thank all of my colleagues and others in the community for offering their condolences.

At the appropriate time I would like to bring the delegation from Pittsburgh that is now back in Toronto and back in Pittsburgh this morning and I thank all of you.

On another matter, while I have the floor. Madam President and members of Council, we have spoken at length at different times about the Keystone Grant Program and whether or not we are getting our fair share at different times. What we did in Highland Park Community and I do want to thank not only the Highland Park Community Club and its -- in particular Debbie DeAngelis who is an activist within the community of Highland Park and more importantly herself an artist and preservationist who pretty much single handedly with the help of a dedicated group and support from my office wrote an application to the Pennsylvania Keystone Grant Program.

We did receive word yesterday that the project in Highland Park to restore the 1898 Victoria Garden, which is the entrance way in the park, after the beautification and restoration of the statue work that we did this past year was funded initially in the amount of $75,000. So, we did receive a significant grant for a park upgrade and a restoration of a Victorian Garden that sits between the statues that were renovated and refurbished, and the entrance way to the reservoir area in Highland Park.

I do want to note and have the record reflect a thank you to Debra DeAngelis and others from the Community for their good work. I say that to remind our colleagues, we kind of had an understanding of-- be it unwritten and informal that with the 1% Rad money that we get for capital improvements to our four Regional Parks, in the last several years, we have made some significant upgrades at Frick and also some upgrades to the credit of Councilman Onorato and others in the River View Park area.

Obviously more still needs to be done, but I would hope that in conjunction with the fact that we received the significant grant from the state that we can begin to package

some of the rest of the work that needs to be done.

We are continuing to reach out also to the Pittsburgh foundation community for this project. I think it's good news. It shows that we have started. I think all of Council has repeatedly spoken about getting the community and getting citizens involved in the restoration and beautification and the life of our parks and our community. I think when we do that we always see good results.

I want to thank all involved and especially Ms. DeAngelis from the Highland Park Community Club. I hope that as far as the master planning of the Engineering and Construction Department, which I am now Chair and City Planning and the Parks Department, and the Mayor's Office that they be mindful of the Victorian Garden project, the receiving of the significant grant and do the appropriate timing so we can bring this project to fruition.

Thank you very much.

Mr. Cohen:

Councilwoman McDonald and other colleagues, on a different issue, this is a happy day for TCI cable consumers in the City of Pittsburgh. The reason is I am very pleased to announce that the Federal Communications Commission just decided in favor of the City of Pittsburgh on our most recent complaint against TCI and has ordered TCI, which is really kind of a landmark decision for Pittsburgh Cable Consumers, has ordered TCI to make a refund to all 95,000 expanded basic consumers in the City of Pittsburgh. The refund is $4.98. It is not a huge amount, but for the FCC to order TCI to refund to 95,000 consumers in the City of Pittsburgh is truly —

There are two tiers when it comes to cable television. The basic rate and the expanded basic rate tier. TCI instituted two rate increases on June 1, 1997 on both of those tiers. With the basic rate tier, this City Council ordered TCI to reduce its rate. We rejected their basic rate increase and ordered them to make a refund to Pittsburgh cable consumers.

On the expanded basic rate, if you recall we don't have the ability to make those kind of orders. All we can do is file a complaint with the FCC, and TCI overcharged its consumers. This order that just came out is on the expanded basic rate where the FCC agreed with us that TCI has overcharged its consumers and ordered a refund.

More over they made another very significant order, and that is if you recall, TCI owns many of the channels that it broadcasts. It owns them and the programming. It has up till now declined to provide us with information about those channels including the revenues they get and the expenses that it costs them for those channels. So the FCC on our request has ordered TCI and I'm reading here from the order, within 30 days of the release of this order to provide a channel by channel explanation of the revenues received from programmers, a description of the revenue as well as channel by channel explanation of its programming cost increases.

That is also a very significant thing because it will begin to open up the doors, which this monopoly has kept closed up until today. This order represents a total savings to Pittsburgh consumers of nearly half a million dollars.

I want to personally thank Fred Polner who this City hired to prepare the complaints. Fred is in the chambers here today. I would like him to stand up and thank him personally for all of his good work. I would also like to thank Deborah Miskovich who was very involved in the filing of this complaint and in the strategy behind it, as well as Mr. Rodney Akers in the City Law Department. Last but certainly not least, I want to thank City Council.

Without City Council's intervention, this victory would not have happened. This Council has served really as a watchdog on cable TV rates. Today it has paid off and this order really is a couple of things from my perspective. It is not only a victory for cable consumers but it is also a victory for right of cities and municipalities like the City of Pittsburgh to protect its consumers on cable issues.

TCI has time and time again made the argument that this is a National issue that only the FCC has the right to protect consumers. But in fact we have rights to protect our consumers too, to protect our rights of way, to charge a reasonable compensation, to promote competition and to protect our consumers that's really what this order does.

There are two outstanding issues that were not covered by this order that I would like just to mention. The first is the one I mentioned earlier. We had an order on the basic rate increase. We ordered TCI to reduce its basic rate. TCI openly defied that order and is today still in defiance of that order. They have appealed to the FCC twice to try to get the FCC to intervene, to stop the City of Pittsburgh from reducing TCI's rates but the FCC has declined to do that. So I would hope that this decision would and I formally request TCI to change the rate for basic rate consumers that this City Council has ordered them to change and no more. If they do that, not only could they be a little more sensitive to their customers, but also it will allow them to avoid an even greater refund, which I think they will have to pay in the ends anyway. So either pay now or pay later and if you pay now, you are going to pay a little bit less back to the consumers.

Secondly, it is February 24, today we expect on March 1 for TCI to file its rate application for yet another rate increase, which would go into effects on June 1. They are required to give the City notice as of March 1. I would hope that this order would also send a message to them that, number one they should not increase rates any further and, number two that we will scrutinize that rate application. We will look at every statement, at every figure and we will review all of their calculations. If they try once again to over charge their consumers then we will once again seek to get protection for our consumers and to make sure they don't over charge them.

All we want to do and this Council has been very consistent on this issue, all we want is quality service at a fair rate. We will do everything in our power to insure that that happens. I want to just make that announcement this morning and to thank City Council for its diligence.

Mr. Ferlo:

I think the actions and collective advocacy of Council and certainly the administration, particularly Director Miskovich and all the skilled individuals that Councilman Cohen pointed out that worked long and hard on this last year on this rate case, I feel that we are vindicated. Even

though it is not a significant amount of money for the individual consumer, there is an important principle here and certainly in the average $400,000 is $400,000.

I think we have to continue our battle. I think it's very fitting and appropriate that we not take all of the franchise fee money for reimbursement to the general fund, but that we continue to use a portion of those funds to hire the expertise that we need, if we need it. In addition to the expertise and skill that our own City Solicitor Mr. Rodney Akers has, I think it is only fitting that we continue as we have permitted in this Council, committed in this Council Budget for '98, to use a portion of those funds to continue the advocacy rate work that we need.

I always think of TCI, TCI is T for treachery, C for contempt for consumers, and I for ingratitude. I don't think that is going to change anytime soon. So while we continue this rate battle that will go on every year, probably well into the future, I think fundamentally that we still have to put pressure on the Congress who created this problem in the first place. The deregulation of the cable system is not fundamentally lead to competition of the market place, it's lead to further monopolization of the market place, epitomized by the tactics and policies of TCI. Not only TCI here in Pittsburgh and Pennsylvania but TCI's method of operating around the country. And most notably is this issue of the program costs.

I think that's a significant part of the regulatory comment by the FCC. Not only the issue of the money, and the reimbursement to the consumer, but it is important that we get into that area of the programming, because we have no knowledge. They can say we bought this program and they mark it up. We are left not even knowing what truly the costs are for the programming.

Also, the fact of the matter is and the greatest scam TCI has going is they in fact own most of the programming and the companies that produce the program. So they produce the programming, mark it up, pass the costs onto the other parent company, TCI, it is a scam. I think there is another second commentary by the FCC which is important. I hope that gives us kind of a working wedge with Mr. Polner and others to try to explore and dell further into that issue, that is a very -- even more so than the $4 is this issue of our ability to ascertain some additional facts and figures.

I would hope that also we would continue to lobby. I really believe that if we can get TCI to give these subscribers a cafeteria menu and if someone only watches A and E of the History Channel or CNN and they just want 2, 4, 11, and 58 or whatever the major local stations are, let people only pay for that. If they don't want all the other stuff, people have flicked through, channel surfed and 80% of the stuff is that people don't even know or watch or care about.

I personally don't care about the weather channel. I know a lot of people do and it is a great thing. But I have other ways of finding out the weather. If I had my choice personally, as a consumer, I wouldn't pay for the weather channel. I am just using that as an example.

So, I think there are a number of advocacy's battlefronts that we can operate on in the coming year and continue to fight around the rate hike. Continue argumentation on the programming costs, continue advocacy with Congressman Coyne and others to get the Federal legislation back on track to allow

local municipalities to do true rate regulation and governance, not this thing where they pretty much tie our hands.

I want to thank Councilman Cohen for his leadership and continued support on this Council for the advocacy points we talked about.

Mr. Udin:

Yes, Councilman Cohen gave appropriate recognition to everyone except himself. He certainly played no small role in the advocacy that resulted in this turnaround. I want to thank Councilman Cohen for the leadership that he has given to this issue. In some parts of the City he is known as the Cable Councilman because he has stayed on this issue no matter what his other responsibilities and assignments have been.

Also, I think that the work of the Cable Advisory Committee is very important to recognize. As well in this regard, I think that sometime when things are close to you, you don't really recognize how important they are nationally. But I think that the Cable Advisory Committee in Pittsburgh is a pioneer and a vanguard in consumer rights around cable issues that are setting precedence for consumers around the country. I think they need to be acknowledged for their work.

One example is this issue but also I guess the next big issue that the Advisory Committee is taking on and one that I think resonates with all consumers and that is this a la carte programming. You should be able to get and pay for what you want. As Councilman Ferlo was referring to and not have them stick you up with a whole group of channels that you don't want and you don't watch.

So the Cable Advisory Committee and its chairman has been vigilant on this case. I want to acknowledge them also.

Also finally, Madam Chair, is the contribution of Deborah Miskovich. It's a kind of a bittersweet victory. I know as we talk about this victory too at the same time all of us were in receipt the Mayor's communication terminating Ms. Miskovich from the Director of Public Services. It would not be easy to replace Ms. Miskovich. She not only brought her management skills, but she brought the skills of a highly talented attorney, lawyer. She functioned as the Cable Superintendent and interacted with the Cable Advisory Committee. She was also the head of the Equipment Leasing Authority and she managed all of the B contracts and the purchasing contracts. So replacing her will not be as easy as just putting out one person and putting in another person. She had tremendous areas of responsibility that I think this Council needs to be watching very closely to make sure that the things that she had a grasp of don't fall through the gaps.

One final thing I would say, Madam Chair, is that, of course, we all know the nature of politics. The nature of the administration's right to choose who his department heads are going to be and I will certainly not challenge that. But within that I think we still have find a way to recognize that when people have devoted years of their life to the service of the City and the service of the residents of Pittsburgh, we cannot let the politic let us lose sight of the contributions that people have made. We need to find a way to acknowledge the contribution that Deborah Miskovich has made regardless of what the results of her employment thing with the City is and where she goes. We need to acknowledge what she

has done and let her know that the City of Pittsburgh and this Council appreciates the work and the commitment that she gave to this City.

Mr. Ricciardi:

Thank you. Councilman Udin touched upon what my remarks were going to be. I think that Councilman Dan Cohen articulated the issue very well and he thanked the appropriate individuals.

However, at this time I would like to echo the sentiments of Councilman Udin. I am sure on behalf of everyone we really want to thank Mr. Cohen for your leadership on this issue, for your resolve on this issue and you really championed the cause of the cable consumers here. We want to thank you because by doing all that diligent work, it really saved us a lot of work and a lot of people including myself were just able to follow your lead. Thank you.

Mr. Hertzberg:

I want to thank Councilman Cohen as well. If I could change topics here unless there is anything further on that particular topic?

I introduced some legislation that I had in front of me. It proposes a new chapter in our code, Unauthorized Roadside and Utility Pole Signs Prohibited is the title. I received over the last five years complaints on a regular basis about signs all over the place and basically the littered appearance that they create. Right now if you drive along City roads, you are going to see a number of signs advertising a particular weight loss program, homeowners -- selling home service, mortgage, a variety of things. As we get nearer to the primary election this spring, the signs will overwhelm our roadways, I am sure.

The particular chapter that I am proposing would prohibit all roadside signs other than those that are authorized through our formal processes. And would authorize our City employees including our Public Works Employees to immediately remove all roadside signs and signs that are posted on utility poles that are within the right of ways. It would call for disposal of those signs within 48 hours after an effort is made to notify the owners of the signs. It also creates a fine for offenders up to $300 and no less than the cost to the City of removing the signs, storing them disposing them, etc.

I have made a motion to waive rule eight. It's my intention to have some discussion tomorrow and then hold a public hearing on the ordinance.

The Chair:

Thank you, Councilman Mr. Hertzberg. Is there any discussion on the introduction of this bill?

Mr. Udin:

Yes. I am curious as to what impacts the bill would have on political signs that are put up prior to primary and general elections and if it is the intention of the sponsor to eliminate those signs or exactly where would they be allowed or where would they be prohibited?

Mr. Hertzberg:

The intention is to eliminate those signs on public property and to permit them on private property. So if you are doing your work as a candidate and you can find some

private citizens that want to post your signs, then there is no regulation of that what so ever.

The regulation though is on all signs whether they be political or business, within our rights of way and including utility poles that are within our rights of way.

Mr. Ferlo:

I look forward to viewing what the Councilman has written. I don't want to be over reacting but I am concerned about what we actually codified the law in terms of basic free speech and people's ability still to put some public information up whether it is a lost kitten or anything of the like. I believed all along and I can point to a number of sections in the City Code that we have long had the ability to resolve. What I think the Councilman's main problem is, and I think it is the main problem, and that is pretty much the political littering and landscape along the public right of ways by candidates who don't have much of a field organization. Don't have the ability maybe for it to buy major media and for the most bank for the buck they go out and pretty much pay a $1.50 for plastic signs and put them out all over the place. That's most notably the activity of judges and other people that kind of run a campaign but don't spend a lot on major media.

I think we have a number of ways to just resolve the problem if we could just get the Public Works Department to do what they should do and that is clean up the roadways and the side yards and the public right of ways at certain periods of time throughout the political year.

So I look forward to seeing what the written word is but we have done that in the past. In fact, the Mayor administratively had signed a communication to all candidates that they would be charged $3 for all the signs that Public Works picked up. So I don't either through a stronger ordinance or through just some better management and response by Public Works at different times of the year, I would hope that we can try to resolve the problem.

Mr. Hertzberg:

Just a brief response. There has been some sporadic effort after elections have occurred to pick up signs. I am talking about something that just says, no. No signs on the roads.

Mr. Ferlo:

I am just saying if candidates knew it comes down to what the method and what the madness is of City Government. If the candidates knew like they do in Fox Chapel that you cannot put a sign along the public right of way, and litter the streets. If candidates knew that, they would spend their money on radio time, on community news letter ads in which is what I think they shouldn't do, or feeding volunteers or doing door to door campaigning which is what we try to do as District Council candidates. They wouldn't litter the sidewalk and the Bigelow Boulevard with 2,000 judge signs. If we would just take them down as soon as they start going up, we wouldn't have the kind of problem we have in the City of Pittsburgh.

But I am loath to adopt an ordinance at least my first impression that is going to eliminate somebody's right to put up a lost kitten notice or an upcoming community event which sometimes our neighborhood groups will tastefully put up a free speech sign and then take it down. I don't want to kill this mosquito with a sledgehammer if we

can try to get a handle on it.

I look forward to the public hearing because I think a lot of this discussion can come out.

Mr. Cohen:

I know that a big part of this is going to be political signs, but just word in Councilman Hertzberg's defense and in this legislation's defense obviously and that is that I have certainly seen a proliferation of signs on poles in my district. On my way to work I can get a mystery job, I can lose weight and get my hair styled on the way to work just by looking at the poles. They have been -- definitely has been an increase of those. So political signs aside and I am sure we will have a lively debate on that.

The other signs really are littering the City. We need to do something about it and this will help.

The Chair:

I think that tomorrow we will have a lively debate. Councilman Hertzberg, if there are legal issues, would you think it prudent to have a representative from the Solicitor's office present?

Mr. Hertzberg:

Sure. I submitted the proposal to the Solicitor's office about a week ago. They should be familiar with it by now. We could have the Solicitor present.

The Chair:

The Clerk can make sure that the Solicitor's office is present for tomorrows Standing Committee Meeting.

Mr. Ferlo:

Remember the '95 thesis was tacked on to private property not on public --

The Chair:

Any other discussion on this issues? If not, I just have a couple of questions for Councilman Cohen going back to the cable issue and one is with the basic cable. Because TCI is still in defiance, where does this stand and when will we come to closure? Will the FCC be the final body that will force the issue?

Mr. Cohen:

That's correct, Madam Chairwoman. On that issue, City Council ordered TCI to reduce its basic rate. We actually ordered them to reduce their rate from their proposed rate of $11.48 a month down to $9.43 a month. TCI went ahead and implemented its rate increase anyway in defiance of our order. Both sides appealed to the FCC to resolve this and hopefully that will come down soon and hopefully we will win and get another refund for the consumers.

The Chair:

Is the FCC going to be the final ruling body such as like a Supreme Court?

Mr. Cohen:

TCI -- either side could appeal the FCC decision to United States District Court, and that is certainly a decision of either party, whoever the losing party is.

The Chair:

Lastly, will the delineation of the

rates, but the revenues and the expenditures for each and every program sector; will it include the premium channels?

Mr. Cohen:

No, it will not. It will include all of the expanded basic channels. But it won't include the channels that you pay even extra money for, which would be Show Time and those types of channels. So, no it will just be the expanded ones. Example TNT, the History Channel, those types of channels. So it would not include your premium channels.

The Chair:

Thank you. Again, I share -- I echo the sentiments that from this general Council body, Councilman Udin as far as accolades go to you for staying on top of this. You are a Cable Councilman and we need a Cable Councilman here to keep on top of that.

Again, I will miss Debra Miskovich. She got the job done. She had one of the biggest departments in this City, it was tough. She had to do deal with a lot of issues. I think she did her job. I personally will miss her and again she has got some big shoes to be filled by who would be appointed next.

If there is no other discussion, we need motion to approve the minutes.

MR. UDIN moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion made by Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *March 3, 1998* *No. 9*

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, March 3, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Ms. McDonald (Pres't Pro Tem)**

ABSENT:

Mr. O'Connor (Pres't)

The Chair:

We have a guest to do the pledge of allegiance for us; her name is Heather Johnson. Heather, would you come forward? Heather is a fifth grade honor roll student attending the A. Leo Weil Technical School, just opened up as a new type of academy in the Hill District. She is in Sala Udin's District, District Six.

Heather Johnson:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God indivisible with liberty and justice for all.

The Chair:

Amen. Heather, compliments of City Council a flag of the United States and our City of Pittsburgh.

PRESENTATIONS

We will move to read and adopteds.

MR. RICCIARDI PRESENTS:

No. 174 Whereas, South Vocational Technical High School is at present the Pittsburgh Public School District's oldest secondary school; and

Whereas, South opened as a two year program in September, 1898 with a faculty of eight teachers and 250 students. The original building had eight classrooms, two laboratories, two storage rooms, and a principal's office; and

Whereas, South became a Junior/Senior High School in 1924 with an addition built to the original structure. In 1940 the Vocational Building was opened for boys, offering training in machine shop, electric power and wiring, cabinetry,

aircraft engines, commercial baking and shoe repair. In 1950 vocational classes in computing and duplicating, cosmetology, and clothing were added for girls, making South the first co-educational vocational school in the City; and

Whereas, in 1951 South Stadium was added to the facility and in 1977 the field was covered with astro-turf. To this day, South Stadium remains the only City school field with an artificial surface; and

Whereas, in 1981 South became a pilot program for a Vocational Technical High School with the phasing out of the regular high school over a three year period and in September. 1985 South High School officially became South Vocational Technical High School; and

Therefore, be it resolved that the Council of the City of Pittsburgh congratulates South Vocational Technical High School on 100 years of continuous service to the City of Pittsburgh and salutes the graduates, past, present, and future, who have helped make Pittsburgh a better place to live.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTS:

No. 175 WHEREAS, Stephanos Michael Lignos, son of Linnea and Charles Kunicky, is a member of the Boy Scouts of America, "Order of the Arrow" Troop #299, sponsored by the Brotherhood of the Trinity Lutheran Church on Sherwood Avenue, in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and

WHEREAS, Stephanos has satisfied the Eagle Scout requirement of earning 34 merit badges, of which 12 are mandatory in the Outdoor, Fitness and Service Fields, and 22 are in Fields of his own choice; and

WHEREAS, For his service project, under his leadership, the scouts painted all the equipment at the McGunnagle Playground in Sheraden; and

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership obtain Eagle Scout status, the highest rank in the Boy Scouts; and

WHEREAS, Stephanos, through his enthusiasm, hard work, and dedication has successfully fulfilled all these requirements and has been presented with the Eagle Badge at the Court of Honor ceremonies February 28, 1998;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Stephanos Michael Lignos on his recent achievement and commends him for his accomplishments.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI moved to second the motion.

Which motion prevailed.

The Chair:

Before we go to Presentation of Papers, I have an announcement that President O'Connor is out of town and I am replacing him as Chair of this meeting.

Let's move on to Presentation of papers.

MR. COHEN PRESENTED:

No. 176 Resolution authorizing a Cooperation Agreement or Agreements and providing for the transfer of funds not to exceed Three Million Nine Hundred Twenty-five Thousand ($3,925,000.) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities.

MR. COHEN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 177 Resolution providing for contracts and agreements or the use of existing contracts or agreements and for the purchase of equipment, materials, supplies and services, for rehabilitation and removal of under ground and above ground storage tanks and providing for the payment thereof, cost not to exceed $300,000.00.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 178 Resolution further amending Resolution #165, effective April 15, 1997, as amended by Resolution #812, effective December 23, 1997, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the construction of an addition to the Phillips Park Recreation Building and for the purchase of materials and equipment for said project; and providing for the payment of the cost thereof," by increasing the total project allocation by $400,000.00 from $1,140,000.00 to $1,540,000.00

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday per Director Reginella's request in relation to the Phillips
Park Project so that the work can be expedited.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 179 Resolution providing for the issuance of a warrant in favor of Mackin Engineering in the amount of $4,556.75 in payment of design of remedial repairs to the West Ohio Street Bridge; and providing for the payment of the cost thereof.

No. 180 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment of the costs thereof, not to exceed Which were read and referred to the Committee on Engineering & Construction, $1,340,000.00.

No. 181 Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Swimming Pools and for the purchase of materials and equipment for said projects; and providing for the payment of the costs thereof, $299,000.00.

No. 182 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and /or a Contract or Contracts, or use of existing Contracts in connection with the Bridge Inspection and Maintenance Program; and providing for the payment of the cost thereof, $255,000.00.

No. 183 Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Reconstruction or Rehabilitation of Neighborhood Streets throughout the City; and providing for the payment of the costs thereof, $921,500.00.

No. 184 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Grant Street Maintenance Program; and providing for the payment of the cost thereof, $152,500.00.

No. 185 Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; and providing for the payment of the costs thereof.

No. 186 Resolution providing for the filing of an application or application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, for a grant through the 1998 Rivers of Steel/Pennsylvania Heritage Parks Program in connection with Phase II of the Rehabilitation of South Side Riverfront Park Project for the development and production of industrial heritage interpretive signage at a landscaped interpretation area with a river overlook; providing for the execution of a Grant contract and for the filing of requisitions and other data; approving the construction of the interpretation area; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash

Which were read and referred to the Committee on Engineering & Construction.

MR. HERTZBERG PRESENTED:

No. 187 Resolution providing for a Contract or Contracts or use of existing Contracts and/or an Agreement or Agreement, or use of existing Agreements, and for the purchase of materials, supplies

and equipment in connection with the Wall, Step and Fence Program at various areas throughout the City, and providing for the payment of the cost thereof, not to exceed $909,000.00 chargeable to and payable from the various accounts.

No. 188 Resolution Authorizing an agreement between the City of Pittsburgh and PA Cleanways or a PA Cleanways City Chapter for the purpose of fighting illegal dumping and littering within the City. **(SPONSORED BY MR. HERTZBERG)**

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

No. 189 Resolution Amending Resolution No. 856, approved December 29, 1997, entitled, "Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 28th Ward, known as 1252 Idlewood Road, to Idlewood Road Property Company, a Pennsylvania limited partnership," by deleting certain language. **(SPONSORED BY MR. HERTZBERG)**

MR. HERTZBERG moved to suspend Rule 8 on all three of these by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 190 Resolution Authorizing the issuance of a warrant in favor of Maguire Hilbish Associates in the amount of Four Thousand Four Hundred and Twenty Five Dollars ($4,425.00) in payment for lighting design services for the Point State Park fountain and providing for payment thereof.

Which were read and referred to the Committee on Finance & Budget.

No. 191 Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1998 and providing for the payment of the cost thereof which is not to exceed Two Hundred Thousand ($200,000.00) Dollars, chargeable to and payable from Account 527900, Index Code 167601, Fund 1000, Org. 431000, Sub-Class 150, Project N/A, Budget Year 1998, Vacant Lot Cleanup, Department of Public Works.

No. 192 Resolution amending Resolution No 747, effective December 2, 1997. This resolution is entitled "Providing for a contract or contracts, or the use of existing Contracts, for the purchase of equipment and materials for the graffiti removal program at a cost not to exceed $299,073.46, so as to change the funding source.

Which were read and referred to the Committee on Public Works, Water & Environmental Services

MR. UDIN PRESENTED:

No. 193 Resolution providing for an Agreement with a qualified finance company for the purpose of financing the City's lease/purchase of professional services, computer software and hardware, equipment and related items associated with the installation, implementation and

maintenance of the Department of Finance Integrated Tax Collection, Processing and Monitoring System for Self-assessed tax Units (the "System").

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 194 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's Workers' Compensation Program.

No. 195 Resolution providing for an Agreement or Agreements with Veterans Place of Washington Boulevard and/or Lawyers Title Insurance Corporation for the sale of the City's interest in certain property located in the 12th Ward of the City of Pittsburgh, known as 921 thru 977 Washington Boulevard, following the City's acquisition of title as the result of a Treasurer's Sale, and also providing for the creation of an Escrow Account into which Veterans Place of Washington Boulevard shall deposit the sum of $190,000.00, $60,000.00 of which shall be paid to the City as a purchase price.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. That completes our presentation of papers. We will now move to unfinished business. If there is no unfinished business, we will now move to reports from Standing Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 196:

Report of the Committee on Finance and Budget for February 25, 1998, transmitting a resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 146:

Resolution providing for an Agreement or Agreements with a qualified third party administrator to administer the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of two years, beginning January 1998 through December 31, 1999. Said Agreement or Agreements shall not exceed $19,200.00 (Nineteen-Thousand Two-Hundred Dollars) chargeable to and payable from Account #574100, Fund 1000, Sub Class 040, Organization Code 999300.

Which was read.

The Chair:

We have heard the reading and title

of the bill, any discussions on the bill?

Mr. Onorato:

I want to thank Director Parees. I asked her last week to give Council something in writing to verify her comments that the money that is being spent on some of the computer services will actually eliminate the need to do this within two years. Today all of us received this morning a two-page memo, which is pretty detailed. I know we are quick to criticize when we don't get something in writing when we ask for it. This was very detailed and even though it was this morning, she did respond in writing and somebody put some thought into it. I want to thank her and Director Schmitt who worked together on it and I am satisfied and ready to vote at this point.

The Chair:

Thank you. Any further discussion?

The bill is now ready for final action. All in favor of the passage of the bill will vote aye when their names are called. All those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro tem)

AYES Eight NOES None

Bill having received the legally required number of votes and is passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 197:

Report of the Committee of Public Works, Water and Environmental Services for February 25, 1998, transmitting an ordinance to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 153:

An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article I, Streets and sidewalks, by adding Chapter 423 – Unauthorized Roadside and Utilities Pole Signs Prohibited. **(SPONSORED BY MR. HERTZBERG).**

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Hertzberg:

I would like to have my comments brought forward from our Standing Committees Meeting last week.

(See Addendum)

I have circulated some proposed amendments to this legislation. I think they are in keeping with a lot of the discussion, some of the different issues that were raised during our Standing Committees Meeting.

Beginning with the issue of how signs were being removed and the un-amended piece of legislation. Just as a statement that any City employee could remove the sign, this has been amended to have it someone that is duly authorized by the Mayor or the Director of the Department of Public Works.

It also has a provision for notifying state or county authorities if it is one of their roadways. In the second proposed amendment there is a provision that would require us to record exactly the location where the sign came from. It ups the time frame from two days to ten days that we would have to store a sign before removing it, making it a little easier to recover the sign, but still not going on forever, requiring us to store too long.

Then finally, I think Council President Ferlo Emeritus, may have brought this up and that is who can be responsible. There is a specific statement dealing with that saying that nothing in this chapter shall be interpreted to make any person or organization or business liable for any signs posted by persons over whom he/she/it has no control. So somehow someone gets a sign with business name on it that's not controlled by that business, the business would not be responsible for an illegal posting of that sign.

Finally, there is a provision that authorizes the Director of Public Works to send out written notices including the ordinance itself. Councilman Diven raised this as an issue of something that would be good to give people fair advance warning to the degree that we may know that some people have in the past or may have a tendency in the future to violate this ordinance, they can be given notice by our Director of Departments of Public Works.

With that I will make a motion to amend this bill with the written amendments that are in front of you.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Any further discussion on the bill?

Mr. Ferlo:

I am going to vote for the bill as amended. I really don't like the bill but I am going to vote for it for two reasons basically. One is Councilman Hertzberg has taken up a clearing and call and responded to a problem and that is the proliferation. I think mostly it is the problem with political signage in and around public thoroughfares, in and around certain times of the year. I have to respect, I think he's trying to respond to criticism from the community and certainly other colleagues have raised criticism as well. So I think the bill is very well intentioned.

The basic problem I have though is I think we are over killing the problem. The problem to me basically even with the existing ordinance fundamentally is a lack of enforcement. So, we can write whatever ordinance we want including understanding the current ordinance which is fairly strong in its statement that people should not put signage along public right of ways including utility poles.

The problem is we don't effectively enforce the existing ordinance. The basic problem is Public Works at the direction of the Mayor must at appropriate times throughout the year remove signage. So we

can beef up the ordinance as Councilman Hertzberg suggested. In the spirit of what he's offering I am going to vote for it, but the problem fundamentally is I don't care what kind of ordinance we write or how we strengthen it. I hope we don't create an ordinance that will over kill in terms of a chilling effect on free speech. The basic problem though is lack of enforcement.

I will vote for it in the spirit that Councilman Hertzberg has offered to amend this ordinance and try to make more public the problem as a way of bringing focus attention to the problem. But if we don't actually get out and do enforcement, it doesn't matter what the ordinance says.

Also, the other issue that started coming up last week in terms of lack of effective advocacy, in the past we had a benefit of coordinate clean city initiative. That was discontinued in the last couple of years. It is true that some neighborhoods and some of our colleagues are involved including myself with some neighborhood cleanup initiatives in the springtime. But in the years past, it was much more of an organized focus advocacy effort of City government with the Clean City Committee and more recently City Source and that kind of got discontinued in the last couple of years. That needs to be reinitiated and reinvigorated, because it helps to mobilize community focus and concern around the cleanliness of the public corridors and right of ways.

I would hope that in passing this bill today we will actually have a sincere commitment by the administration to actually enforce the ordinance especially during the primary and fall election campaign periods; and that we rethink a way that bulletin boards -- The community can get involved in clean up efforts. As part of that I think we need to do a couple of things. We need to reinforce the communication to the utility companies for them to clean their poles, especially those in the neighborhood business commercial corridors around the City often targeted for the we pay signage and you name it as Councilman Cohen and others have spoken about.

Secondly we can be a little proactive. There are a lot of corridors, for instances the Oakland Corridor. No matter what you are going to do because of the nature of the community there especially with the student population and a lot of political groups and other advocacy groups, you are going to have people put up signs including bands up coming at local taverns.

I would strongly suggest as I have in the past to the Planning Department that they actually think what the University community of constructing some community bulletin boards. These would be nicely situated bulletin boards where people as in other communities, especially around college campuses, the community has the ability to put an appropriate poster within this bulletin community bulletin boards. I think if we had places where people could actually do appropriate proper posting, I think we would see less re-pasting and putting up of posters in and around the commercial corridors.

So in the spirit of what it is offering, I am going to vote for the bill as amended. But it still gets down to not having proper enforcement, being a little more proactive, and finding a medium for individuals to exercise their free speech, which I do consider this part of free speech. There is a difference between Banksville or Bigelow Boulevard being inundated with 200 signs

from 80 political candidates including judges as opposed to somebody putting up a sign that says lost kitten or an advocacy leaflet by the community saying there is an upcoming town meeting on a problem.

So we are mixing everything together. I think unnecessarily, but in the spirit of what it has offered, I am going to vote for the amended bill.

Mr. Udin:

I want to ask a question for the sponsor of the bill. On the amendment under notice, was it the intention to direct the Director of the Department of Public Works or just to simply authorize?

Mr. Hertzberg:

The intention was to authorize. That was my intention, would you rather see it direct?

Mr. Udin:

I just needed a clarification, in either case I obviously -- the Director is not compelled to do so unless the Director is directed to do so. I want to point that out.

But I intend to vote against the bill. The reason is because I simply don't believe that using the public right of ways during the political season in itself is dilatorius to the City. I think that leaving them up long after the election is over is damaging. But I think there is already insufficient public participation in the political process.

I don't mind using the public right of way as a part of the political campaign as long as there is a prescribed period of time for which those signs are aloud to be up and after which the signs are removed or the owners of the signs are fined. I don't really think that it represents that much of a problem during the political campaign.

I think we need to find as many ways as possible to get the public more involved and more informed in political campaigns so for that reason I will not be voting for this bill.

Mr. Diven:

Yes, I just wanted to make a recommendation. I am going to be voting for this bill this afternoon. A lot of things that Councilman Ferlo said in reference to enforcement of this ordinance and actually getting someone out to pursue keeping the City clean. I would like to recommend that Councilman Hertzberg as the Public Works Chair maybe inquire with the Director of Public Works as to getting a report once a month that he could circulate to the rest of Council members asking how many actions were taken, how many times has this been enforced, in regards to signs on telephone poles or political signs.

I think that way if the Director feels that at the end of the month we are going to have to get some statistics in front of Council as to whether we are out their actually cleaning up or not. There might be a little more incentive to actually put people out to have their job be to make sure the City is cleaner and better looking. That's one recommendation I wanted to present to Mr. Hertzberg.

Mr. Ricciardi:

I will be very brief. I am in full support of the bill today sponsored by Councilman Hertzberg. I think it is well

written and all inclusive and just keeping in mind that it is all unauthorized signs I believe Councilman Hertzberg not just political signs.

The problem that I have is not only at times are they unsightly, but at certain intersections especially in my district, they actually become a hazard because they really effect the visibility of pedestrians and motorized vehicles. That's a true problem I have, I think it is one of safety. Just by raising the issue I think it really puts everyone on notice including the City of Pittsburgh. That it is our responsibility to keep the roadways not only clean but safe and make sure that everyone has access, not access excuse me but everyone has the ability to see when they're crossing the street or when they are proceeding with their motorized vehicles. Thank you.

Mr. Cohen:

I am also in full support of the bill. I think it's a good bill. I think it is a good strong bill. The reason I do is that it sets out for the first time a process, a process by which these signs are removed. More important, it sets out a penalty, which the current code does not. It gives an actual dollar amount, which is a fairly high dollar amount. I think it will provide a chilling effect to those people who want to put up these signs. These signs including the commercial signs junk up the City. Every time I see one and I am including commercial as well as political and others, they are ugly symbols that no one is protecting the public domain.

We are a legislative body and this is strong legislation. Because it sets out a process and establishes a penalty. Once this legislation passes which it looks like it will pass unanimously today or maybe not unanimously but it will pass overwhelmingly today, it is up to the administration to enforce it. We then have over sight responsibilities, which I suggest that we make sure that we fulfill and make sure that the statute is then enforced.

The Chair:

Is there any further discussion?

Mr. Hertzberg:

Hopefully final word. I did want to again address the issue of the manpower. I am Council's chairman of the Department of Public Works. I will do everything within my authority as the Chairman to try to see that appropriate manpower is put to the task of enforcing this ordinance. I did personally meet with the Mayor who said we would find a way to enforce this ordinance. If I did not have that affirmation, I wouldn't have introduced this legislation and taken it to this point.

I understand Councilman Udin's thoughts on the election process. I do agree with part of what he is saying in that we definitely do not have enough people participating and voting. I just would disagree with the sign issue completely. I think probably the signs and the mess actually would have more of an effect of causing people to be alienated I think from the process. To see this kind of disorganization, disrespect and garbage as part of it, I think would tend to alienate voters from the election process more than bringing them into it.

So, I would disagree on that argument. As far as Councilman Diven and reporting back and trying to get our Public

Works Department to report on the enforcement, I will be happy to do that. I think that's a good idea.

The Chair:

Before you had closing remarks I wanted to ask a question. In terms of the amendment to change the number of days that the signs would be picked up would be held from two days to ten days, what in the legislation? You can elaborate to the public would ensure that there is not a lot of resistance from people who have that privilege of having their signs held for ten days to pick them up, that is basically a two week period and have them put right back out again?

Mr. Hertzberg:

I think that's when we are going to see the actual penalties. Those are the kinds of cases when I would hope that there would be a citation issued if we have someone that is called and told about this ordinance and that their signs have been picked up and then they're going to continue after given notice of the violation. I think the fines hopefully will then be brought to bear. But I wouldn't like to see a lot of fining.

I think the focus has to be removal rather than fining, but if we are going to have individuals who and organizations that are going to ignore this ordinance. In the face of warnings, then I am hopeful the fines will be enough to stop them.

The Chair:

Thank you. Any further discussion?

The bill is now ready for final action. All in favor of the passage of the bill will vote aye when their names are called, all those oppose will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
	Ms. McDonald (Pres't Pro tem)

(MR. UDIN VOTED NO)

The Bill having received the legally number of votes is passed finally.

MR. FERLO PRESENTED:

Bill No. 198:

Report of the Committee on Engineering and Construction for February 25, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 142:

Resolution Providing for a contract or Contracts, or use of existing Contracts for the installation and maintenance of traffic signal equipment throughout the City; and providing for the payment of the cost thereof, not to exceed $100,000.00 chargeable to and payable from: Acct. 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2235100, Budget Year 1998, Amount $100,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Ferlo:

Councilman O'Connor did ask for a breakdown of various intersections that absolute traffic signal equipment would be either replaced as well replacement of old and worn out equipment. Director Reginella sent us this list this past couple of days. So hopefully it responds to some of the issues that our colleagues raised at the meeting.

Mr. Onorato:

I am sorry; I don't have this in front of me. I am sure it is in my office. If the Clerk could send a message to Director Reginella that dispute that we had on Ivory Avenue with the county over the stop sign and the blinking warning for the stop sign, that the blinking lights were only temporary. They put up battery operated, they haven't work for a couple of months now and we did give the commitment that we would put in permanent electronic blinking warning signals. It is a safety issue, that I hope that we at least resolve that issue through this bill in the next several weeks.

Mr. Ferlo:

What is the intersection again, Councilman?

Mr. Onorato:

It would be Ivory Avenue and Valleyview Street.

The Chair:

Any further discussion? If not, the bill is ready for final action. All in favor of the passage of the bill will vote aye when their names are called. All those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro Tem)

AYES Eight NOES None

Bill having received the legally required number of votes is passed finally.

That completes our reports of committees, we will now move to motions and resolutions.

MOTIONS AND RESOLUTIONS

THE CHAIR PRESENTED:

No. 199 A resolution authorizing the appointment of Guy Costa as the Director of the Department of General Services effective March 9, 1998.

The Chair:

Council has scheduled an interview for Mr. Guy Costa as an appointment for General Services Department Director at

tomorrows Standing Committees Meeting. Is there any other business under Motions and Resolutions?

Mr. Ferlo:

Just as a point of information, I wasn't clear if tomorrow there is an amendment coming up regarding the Capital Budget or if that has yet to be introduced by the administration? I am hearing rumors on the floor.

Mr. Udin:

No.

Mr. Ferlo:

I only ask that when and if this amendment, if it is actually an amendment, gets introduced that we through Councilman Udin have the appropriate individuals at the table regarding capital projects.

Mr. Udin:

It has not been introduced. They are still cooking.

Mr. Ferlo:

I also think it might be appropriate to have a Public Hearing on this bill. If we are going to start shaking down and reordering, reprioritizing capital projects which may not necessarily be a bad thing, I think we have a responsibility to go back to the public input process that we had during the budget deliberations.

Mr. Onorato:

On that point, I know I talked with a few community groups that were very active and interested in the proposed changes. I think they are in the process of going around and getting signatures for public hearings. But I will be more than happy to make the motion now and save them the time. Whatever the final version is that we have a public hearing on it. There is something floating around, I have a copy of it in my office. I think a public hearing is a must.

The Chair:

Motion on the floor to hold a public hearing when the amendments are discussed.

Mr. Ferlo:

I don't know if we can make a motion to have a public hearing on something that we don't even know if it is going to be submitted.

I am just concerned that we went through a process. I know there is a lot of politics a foot a float all of a sudden with the administration, now they are trying to shake colleagues down for votes on this supposed amendment, which is great, that's their prerogative. They haven't approached me obviously.

But what I am concerned about, is we went through a whole process especially when it came to the demolition issue, the clean up effort, the rodent control issue and a whole host of other issues, concerning neighborhood community development initiatives, the community development investment fund, various things. We made some hard decisions. If that's all going to now shake loose and a few colleagues are going to change their position, which is their prerogative, I at least want to go back through the public input process so I understand. I am not going to be rushed

through even if they lobby and get five votes I can tell you that right now. I just want to know what is up, what's real, what are they up to?

Mr. Udin:

Point of order, we are chasing a ghost here, there is nothing on the table. There are proposals being discussed. I would just urge colleagues to be patient until something is presented unless we want to have a public hearing on something that isn't on the table.

The Chair:

Would you like to hold your motion then?

Mr. Onorato:

I will wait until the bill is developed and we just put -- our intention is to have a public hearing when and if a bill does come forward. I will withdrawal, that's fine.

Mr. Hertzberg:

I just distinctly remember our budget process at the end of 1997. I distinctly remember the Capital Budget problem but it was -- we had a bigger problem with the operating budget. I had problems with the Capital Budget as passed. But because we had such a larger problem with the Operating Budget, I must have mentioned this I think to everyone if not everyone almost everyone that I wanted the Capital Budget to come back up.

I wasn't happy with it as it was passed. There were a few priority items that we had just cut that we couldn't really cut and they were items that we had have already invested in and I think a lot of members of Council support and that we were going to have to revisit the Capital Budget.

So it has to be revisited, it is not something I didn't expect. I welcome it because I had a problem with the Capital Budget as passed. So, I don't think we should be real surprised about it.

Mr. Onorato:

I am all for discussing and reviewing priorities and constantly changing priorities. But I want to make it very clear here now. With all due respect to Councilman Hertzberg who does sit on the URA, while I do like and support the Nine Mile Run plan and I do like and support the LTV plan. As far as I am concerned, those plans are not going forward at the expense of our neighborhoods.

We made a very strong statement that we are going to be committed to the maintenance of our neighborhoods. If those projects we're being black mailed in supporting those projects at the expense of the maintenance of this City, I will have no part of it. I will fight as hard as I can to stop the raiding of those accounts that the City of Pittsburgh residents paid for to have basic clean up of lots, rodent control and street paving. They, as far as I am concerned, are off limits. If that's part of any amendment, I will not be supporting it.

Mr. Ferlo:

My earlier comments were meant to be a preempted strike. I have no objection, I agree with Councilman Hertzberg that we should discuss because there were some things that we kind of left undecided and I

agree with Councilman Hertzberg. We did not want to -- we reached some unanimity late in the budget process and we agreed. I agree with Councilman Hertzberg. We agreed to put off to another day some debate and discussion on some of the priorities. I agree with that.

I am only making it clear preemptedly that this isn't going to go down where the administration is going to come over here lobby for five votes because of wheeling and dealing, and it is going to sail through. It is not going to happen that way. It is a collective body.

I think all of us on Council have priorities in our respective districts, I understand that, I appreciate it. But if there is going to be a substantive and budgeted amendment, then it is going to involve all of us with some discussion and discourse. It may require some public input session as part of that. I am not saying the administration shouldn't look at its priorities, it should. But it is not going to go down where they are going to lobby to get five votes like getting the Pirate bond issue or one of those issues. That is not the way this is going to work. I am telling you right now.

The Chair:

Any further comments? I am sure it will be a festive meeting.

Any other discussion on this issue?

Mr. Ricciardi:

I will be very brief hopefully less controversial. I have received a number of calls from constituents in District 3, colleagues, regarding the Housing Authority policy when it comes to our senior high rises here in the City of Pittsburgh. But to be perfectly frank regarding Morris Gardens and Caliguiri Plaza which is located in Allentown. Both senior high raises have vacancies; there are units available. However, the authority is not permitting people to occupy those units. We are talking about hundreds and hundreds of people on a waiting list.

I have asked Mr. Sala Udin who also is the Board Member of the Housing Authority if he could please look into this matter for me, personally find out what the policy is, the Citywide policy? In particular, what is going on with Morris Gardens and Caliguiri Plaza?

Hopefully after that we will not need a Post Agenda or hopefully after that you will not hear from me once we settle this. But I am looking from those results from Mr. Udin and I will share them with everyone at this table.

The Chair:

Councilman Udin, if there is no further issues to be brought up, I am sorry --

Mr. Hertzberg:

One other issue, I am sorry, this probably is unfinished business. I know every year it seems like the asphalt plant goes on a chopping block. I just want to briefly mention we were scheduled to have a City Council tour of the asphalt plant a couple of years ago. I am not sure why but it ended up being canceled. I want to let everyone know we are going to be trying to have a City Council visit to the asphalt plant. It probably won't be for another 60 days or so when I think they will be in full operation for this next year.

But I do want to alert everyone in advance, that I am going to try to schedule that site visit to the asphalt plant for City Council.

Mr. Ferlo:

A brief announcement. I was watching the news last night, I think it as KDKA and not that KDKA would ever put out this information, there seems to be some confusion about the reassessment issue. Maybe Councilman Onorato and Mr. Ricciardi can straighten this out. But the news that came out yesterday gave the public information to such that you can no longer file for -- if you wanted to make your appeal the deadline was yesterday.

The deadline yesterday for appeals was for those property owners who did not get a reassessment, if I understand correctly. We should straighten this out, because the way the media made it sound yesterday over the radio I heard as well as TV, is that the deadline was yesterday. I heard Mr. Odato on the news and that yesterday was the deadline.

Now I have been operating, in fact we have a public meeting planned where we sent the notice out, similar to what Mr. Ricciardi, did in my Council District. We have had several hundred-property owners who were significantly increased with their reassessments. We have a meeting at Saint Karen's Church on March 10 from 7:00 to 9:00 in my Council District. These are for property owners that received a pretty excessive and substantial reassessment of there property.

That meeting is proceeding and we are operating in the assumption that the end of March is the deadline. I am just a little bit -- maybe Mr. Ricciardi could speak to this. I am wondering why the media focused in yesterday that yesterday was the deadline?

Mr. Ricciardi:

Thank you very much during this whole process. I have been trying to keep my composure and trying to keep under control, but if you recall a few weeks ago I had stated that this entire process was flawed. If you recall I stated at this table that I contacted two officers from the County Commissioners, contacted the Appeals Board. All three were giving different information.

Now, the way I understand it and putting aside what the media has reported, last night at 9 p.m. was the deadline to file for the appeals for an appeal on your assessment. However, those 40,000 taxpayers where the market value was stated wrong because of the formula of 25% and then 20%, setting that aside will have an extension of 30 days. Those 40,000 taxpayers, Councilman Ferlo, have been informed by mail that they have an extension of 30 days.

So, last night was a deadline for X number of people and the people where the market values were calculated wrong will have an extension of 30 days. They have been informed by the mail through the U.S. Post Office.

Mr. Ferlo:

So in effect everyone that we have notified as well as Mr. Ricciardi and his district that received a major reassessment are in effect in that category of being able --

Mr. Onorato:

Not all of them. If I could just clarify? You have the universe of everyone that was reassessed. In that universe some of them were incorrectly reassessed. The ones that were incorrectly reassessed have an extension of a deadline. There is another group of people that were assessed so called properly and their deadline was yesterday. That is what the two dates are. I know this is the fact.

Mr. Hertzberg:

Didn't Mr. Odato say it was a computer error? That everything was programmed at a multiplier of four rather than 5.2?

Mr. Onorato:

On some of them. On some of the reassessments, not on all of them.

Mr. Ricciardi:

40,000.

Mr. Hertzberg:

All the reassessments.

Mr. Onorato:

That is not all. That is just a part of the universe of the reassessments.

Mr. Ricciardi:

That is why they should have followed what Mr. Ferlo had stated for weeks that the extension should have been -- the deadline should have been extended for 30 days for everyone in Allegheny County not just a certain portion. That's why this entire process is so screwed up for the taxpayer, that it is not only suspect it is ineptness, it is incompetence by the County Commissioners, by the Board of Appeals and by Sabre. I am going to say that publicly. It is just a shame and it is a pity what is appearing right now.

Mr. Ferlo:

My point, thanks to Mr. Ricciardi for further clarifying that. I sent a letter to the judge as well as to the Board, I think Mr. Ricciardi's point is well taken. There is a lot of confusion. I think uniformly you have thousands of individuals who have seen significant increases due to reassessment. Maybe it is justified and appropriate, and maybe it is not. There should be some uniformity and some common sense approach when it comes to the appeal process.

It would make a lot more sense given the thousands of names and property owners that are affected that the uniform date for the appeal deadline will be the end of March. Not like someone is supposed to figure out are they on one list versus the other. We are having our neighborhood meeting March 10 and come heck or high water those people coming to that meeting if they want to file their appeal we are going to do whatever is in our power to assist them with that appeal process.

I think Mr. Ricciardi's point is well taken. It is not like anyone is going anywhere. The County is going to get their money. The City is going to get our money; we are all going to get our money. But let's at least be fair and in terms of the process given the fact and why these

Commissioners, these three Republican Commissioners as far as I am concerned, why they hired this out of state company, I am still perplexed. I cannot understand how this company has been paid $20 or $30 million to screw up the whole reassessment process. Now they're adding insult to injury or salt to the wound just with this appeal deadline situation.

Maybe I am the only one that is flabbergasted by it. It is just outrageous. I don't understand it. People are always willing to pay their fair share, they know at some point if they haven't been assessed in a number of years, at some point they are going to pay the piper. People know that. But at least it should be fair and it should be democratic. It should have a common sense approach. The appeal deadline should be uniformed and consistent which it's not now.

I encourage folks if they are concerned and want to understand more and I have to give Commissioner Dunn credit at least he is out in the field trying to explain to the taxpayers and the public and to the property owner what their rights are. I would hope that if people are concerned they will attend the March 10 meeting at Saint Karen's if they are in that category of which I have four or 500 property owners in my district.

For people to have -- part of the reason why people are for this Compaq Business, which I am still not sure how I feel about it, because I have yet to finish reading the document, as I am sure the public hasn't even necessarily read it themselves. But it seems like people are flying to that idea of the Compaq only because they are so frustrated with the way the three Commissioners have operated or at least two and a half Commissioners have operated to date. I mean it is a hell of a way to do business locally.

Mr. Cohen:

I am glad to hear that there is at least a half a Commissioner doing a good job out there. Well Councilman Ferlo is not alone, Councilman Ricciardi who has really taken the lead on this when it comes to property tax issue -- I think what this shows is how the Board of Property Assessment has ignored the taxpayers, they really have. They are a public body and they have a responsibility to the citizens of Allegheny County. As far as I am concerned they haven't been fulfilling that responsibility in these two ways.

They spent $23.8 million for Sabre Systems, I believe, and did not set aside any portion of that money to advise taxpayers as to what their rights are under three programs that especially Councilman Ricciardi has been promoting. Both the right to appeal, the Gentrification program and the senior discount program, Act 77.

They did not spend any money to notify taxpayers of their rights. Moreover when faced with an appeal by this City Council and other public officials and other constituents to just extend the deadline so as to give them an opportunity to understand what their rights are and whether they can appeal or not, they just ignored them and they ignored us.

So that's what gets me mad about this process. Is that there is no sense that this board has any accountability to the people of Allegheny County. When you lose that kind of confidence, then you are in deep trouble. That's where they sit right

now.

Mr. Ricciardi:

Councilman Ferlo is right. While an appeal is pending, people have to and are mandated to pay their taxes. So no municipal body or school or City of Pittsburgh or Allegheny County is out of any tax dollars.

We should keep in mind that the hearings only begin in the summer. So the hearings only begin in the summer, I think we should have a resolution before this body right now, once again, respectfully requesting that the Appeals Board and the County Commissioners they keep trying to remove themselves from this process. But those two bodies have an extension of the deadline 30 days to parallel the extension of the other 40,000 taxpayers.

So, Councilman Ferlo, it was your resolution a few weeks ago, if you would like to make it one more time please.

The Chair:

Second for the motion and the motion is that Council will recommend a uniformity in terms of extension.

Mr. Ricciardi:

You said it perfectly. We would like that wording formally when we send it over.

Mr. Onorato:

On that motion, the reason I support that 100% and I will not buy the argument that the Commissioners are not allowed to interfere. Because this is an independent board, because basic constitutional law in our form of government there should be no appointed individual that can raise taxes on any of the individuals. Like it or not the ability to raise assessments is the ability to raise taxes. If we are going to hide behind some kind of court order and say that our elected officials have no power, I don't buy it because I don't want appointed officials raising taxes.

People have to stand up and be accounted what exactly is happening here. As far as I am concerned only elected officials have the right to vote for raising taxes or lowering taxes. Therefore, they have a right to do what we are asking here and that is to extend the deadline, and I am in support of it.

Mr. Ferlo:

As a follow up, who laid off the assessment department in the first place? Was it the elected Commissioners, did they layoff the staff and eliminate the municipal function at the County level of assessments? Or was it this board? If history is correct, I think it was the elected Commissioners at the time that eliminated the assessment staff. So maybe that whole legal action is in question. If now they are going to hide behind -- I mean they can't have it both ways.

Get rid of the all three of them as far as I am concerned don't support Compaq, let's elect some new democratic commissioners and we will be in better shape.

The Chair:

Okay do we have a second on the motion to send a communication to the commissioners?

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

If that communication could be sent out today if possible or as soon as possible. Is there any further business?

Mr. Udin:

Yes, two matters one to remind colleagues that this afternoon at 2:00 there will be a Post Agenda Meeting on the downtown plan, when Ms. Hirsch and her staff will be present to present it to Council and to the public. If I am not mistaken when this was first set, we did vote to have a televised post agenda, did we not?

The Chair:

Is it not televised? It is not scheduled to be televised?

Mr. Udin:

Is it too late to do it?

Moved to have the Post Agenda televised.

MR. RICCIARDI seconded the motion.

The Chair:

A motion on the floor to cable cast the Post Agenda Meeting at 2:00 p.m. today if possible. All in favor?

Which motion prevailed.

Mr. Udin:

One other item. I would just like to point out and extend to the family of Robert Cronberger who is the Director of the Carnegie Library who passed and his funeral is today. The condolence of the City. He's a person who has achieved a lot in this City and has renovated many of the library buildings and has reorganized the library system and ushered in the computer rise networking of all the libraries to each other. He has renovated the Martin Luther Kind Library in my district.

He's just done a tremendous amount of work in one short period of time and his passing will be a loss for the City and our condolences should go out to his family.

The Chair:

Thank you. His funeral is going on right now as we speak at Calvary Episcopal Church. I did want to attend that but I found out too late. I do have to echo those remarks because Mr. Cronberger in working with him you never would have known that he had heart problems. He looked like he was a perfect bill of health, and his passing was very unexpected. He had just had surgery on Thursday and he passed on Friday morning after heart bypass surgery.

He had asked for donations to be sent or to be placed in the name of Beginning With Books, which is a countywide literacy program that helps family in terms of literacy. It is housed in the Homewood library. For that he is gone now but to his family I can't begin to say how much I am very thankful to Mr. Cronberger for his passion and compassion and in wanting to make sure that everyone is literate and to ensure that efforts are being made in areas that most need it. It wasn't about what was

the prettiest building or what was the libraries that had the most circulation, the richest areas, it was about what was needed -- period. And that's what he was about.

He received awards for his sense of equity. Again I just want to thank the family for at least designating donations for Beginning With Books in the Homewood library. Hopefully I will be able to follow up in making sure the entire Homewood community knows what Mr. Cronberger has done.

If there is no further business, we need a motion to excuse the absent member.

MR. UDIN moved to excuse the absent member.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes.

MR. UDIN moved to approve the minutes.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn the meeting.

MR. UDIN moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion of Mr. Udin, the meeting was adjourned.

ADDENDUM

(Councilman Hertzberg's comments on Bill 153 can be found in the Standing Committees Meeting minutes of February 25, 1998.)

MUNICIPAL RECORD

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, March 10, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor (Pres't)**
Ms. McDonald	

The Chair:

We all please stand for the pledge of allegiance and please remain standing for a moment of silent prayer for peace throughout the world.

We are honored today to have five guests, Chris Senkow, Pat and Timothy Beichner, David Pini and Jeremy Melich who are from Saint John Newman's Elementary School and they are all boy scouts and they are in Councilman Jim Ferlo's District, District Seven. We are honored to have you here. They are accompanied by two of their mothers and Audry is the scout leader. Please start.

Chris Senkow, Patrick and Timothy Beichner, David Pini and Jeremy Melich:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God indivisible, with liberty and justice for all.

The Chair:

Thank you for coming down. Thanks for doing a good job. We have a flag of our City and of our Nation to present to you for your hard work and coming down. I know you're good citizens and do a lot of work in your community.

Mr. Ferlo, would you join me please to present these?

PRESENTATIONS

The Chair:

We have some special guests in the audience and in fact lead by Saint Patrick himself. Would you like to come up and bring the Saint Patrick's Parade Organization up please? Mr. Diven would you please join me.

We are joined by -- lead by not only Saint Patrick but Kevin Donohue is the Chairman of the parade. It is an annual event in Pittsburgh, and I am very honored to have you all here.

This is sponsored by myself and Mr. Diven and co-sponsored by all members of Council. I would like to read this. We have to guarantee better weather than today though.

MR. O'CONNOR, MR. DIVEN AND ALL COUNCIL MEMBERS PRESENT:

No. 200 WHEREAS, Pittsburgh's annual St. Patrick's Day Parade, sponsored by the Irish Society for Education and Charity, Inc., will be held on Saturday, March 14, 1998; and,

WHEREAS, the St. Patrick's Day Parade, first held in 1869, has grown in size and splendor since 1950. The parade now boasts of thousands of enthusiastic Irish marchers and draws tens of thousands of spectators to downtown Pittsburgh and has become the oldest and the largest parade in the City of Pittsburgh, and the second largest St. Patrick's Day Parade in the United States of America; and,

WHEREAS, the magnificent St. Patrick's Day Parade will feature thirty marching bands, traditional Irish costumes, twenty-five floats, and approximately 29,000 marchers; and,

WHEREAS, the parade will begin at 10:00 am at the Civic Arena, led by this years Grand Marshall, Sister Michele O'Leary R.S.M., and include "Miss Smiling Irish Eyes", Rita M. Allison, and her court, Katie O'Toole and Megan Houlihan as well as the St. Brigid's Court, Bridget Kelly and Marie Young,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby commend all of the organizers of and participants in the annual St. Patrick's Day Parade, and in the spirit of Pittsburgh's Irish community, does hereby declare the week of March 14 to March 21, 1998, to be "St. Patrick's Week" in the City of Pittsburgh.

The Chair:

Motion to approve?

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Donohue:

I would like to thank City Council President Bob O'Connor and Council members. This is always a great honor to be up here. This has become an annual thing down here to talk to the people of the City of Pittsburgh and to let them know how proud we feel to put on the best parade in the United States. Granted there is one other that is bigger than ours is but ours is the second largest. What makes this all possible is the people who work to put this parade together. We start in September and continue on to the day of the parade, which you have heard is the 14th.

I would like to introduce some of those people to you today. First of all we have Saint Patrick Fran Walsh, behind him is Jack Goodrich, he is in charge of our Finance, Marty Madigan, John MacAvoy who is the secretary, Jim Flannigan the Marshal, Jerry O'Brien, Colleen Bauer is in the back, Jack Gavan and Ross Fulling.

Now I would like to introduce

Ms. Smiling Irish Eyes, the beautiful Rita Allison.

Ms. Allison:

Hello. On behalf of the other two girls on my court, Katie O'Toole and Megan Houlihan and the girls that comprise the St. Bridget's Court, Bridget Kelly and Marie Young, I would just like to say thank you to City Council, the Mayor's Office as well as the City of Pittsburgh Police an Fire Departments, and all the City of Pittsburgh that put forward such a tremendous effort to help make the annual St. Patrick's Day Parade the second largest in the nation. Thanks a lot.

The Chair:

Councilman Diven come on, this is your first St. Patrick's Day Parade as an official Council member.

Mr. Diven:

I would like to thank all the people who have worked so hard to put on the St. Patrick's Day Parade. I haven't missed one yet. One of the best things about the St. Patrick's Day Parade is you don't have to be Irish to enjoy it. We appreciate everyone coming out this weekend. It should be a fun filled day for everyone, every member of the family. We would like to thank all of you for all the hard work that you put in to make it such an enjoyable event and such a wonderful afternoon for the City of Pittsburgh as a whole.

Mr. Donohue:

I would also like to mention that this parade is paid for all by donations. It is a non-profit organization that runs it. We are having a reception Friday the 14, I am sorry, this Friday the 13th at the Engineering Building, the Mayor's Shamrock Reception. For those who can make it, we would appreciate you being there. The cost is just $50.

Now I would like to introduce Saint Patrick.

St. Patrick:

Thank you, Kevin. Councilmen, I will just pass on this blessing that I think all of you have heard before.

May the road rise up to meet you, may the wind be always at your back, may the sun shine warm upon your face and the rains fall softly on your fields, and until we meet again, may God hold you in the hollow of his hands.

We will see you at the Parade. It is going to be 51 degrees.

Mr. Cohen:

I want to congratulate all of you. It is really not a St. Patrick's Day in Pittsburgh; it's really a St. Patrick's week or more that started with the reception at Mitchell's. It was just a beautiful mass and breakfast on Sunday. I just can't wait until the parade. Thank you all for coming down here.

Mr. Onorato:

I just want to congratulate the team that puts this together every year, because in addition to the parade, it's really an all day festivity throughout the City. It has become a tradition with many of us here that even after the parade, I can picture the stops in my head without even having a map anymore;

where to go and who is doing what. It's a nice celebration because I look forward to seeing certain people at each one every year. It is a good time seeing people that you might not see for the months. It's great for the City. There is a lot of commerce going on and a lot of activity at all of our locations, not just downtown and the main route, but throughout the different locations on different sides of the river.

I want to congratulate you on a very successful parade and celebration.

MR. UDIN PRESENTS:

No. 201 WHEREAS, the Pittsburgh Symphony Society maintains its principle place of business and conducts its principal activities in the City of Pittsburgh; and,

WHEREAS, the Applicant desires to operate certain small games of chance and/or conduct raffles to generate funds to finance its operations and further its purpose; and,

WHEREAS, under the Local Options Small Games of Chance Act, as amended, the applicant must procure a license from the Treasurer of the County of Allegheny; and,

WHEREAS, the Act provides that any non-profit organization, not affiliated with a national or state association, must procure a Resolution from the governing body of the municipality in which the association conducts its principal activities, affirming its status as a civic/or service association within the comprehension of the Act; and,

WHEREAS, the Solicitor of the City has requested, received and reviewed the appropriate documentation from the applicant and has verified the existence of the Applicant as a non-profit corporation authorized by its Articles of Incorporation and/or Bylaws; and

WHEREAS, the Solicitor of the City has advised the City Council thereof that the Applicant is an organization which may be recognized by a Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Pittsburgh hereby declare the Pittsburgh Symphony Society, Inc. a civic and/or service organization within the context of the Local Options Small Games of Chance.

MS. MCDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

The Chair:

Presentations of papers.

MR. HERTZBERG PRESENTED:

No. 202 Resolution Granting unto J. C. Lewis of 1040 Fifth Avenue, Pittsburgh, PA 15219, his successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a concrete ramp at the main entrance of 1040 Fifth Avenue, 3rd Ward, 6th Council District of the City of Pittsburgh.

No. 203 Resolution Granting unto Beatrice Lammert of 1031 St. Martin Street, Pittsburgh, PA 15203, her successors, and assigns, an encroachment to construct, maintain and use at her own cost and expense, a portion of Regina Street, 17th Ward, 3rd Council District of the City of Pittsburgh.

No. 204 Resolution Granting unto Thomas DeTemple of 1439 Hyde Street, Pittsburgh, PA 15205, his successors, and assigns, an encroachment to construct, maintain and use at his own cost and expense, a portion of Tilford Street between Hyde and Harris Streets, 28th Ward, 2nd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MS. MCDONALD PRESENTED:

No. 205 Resolution providing for a lease or leases for the use of certain City property located at Second and Johnston Avenues in the 15th Ward by the Hazelwood Neighborhood Maintenance Task Force as a public park for the nominal sum of One Dollar ($1.00).

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 206 Resolution repealing Resolution No. 835, approved December 16, 1997, effective December 31, 1997, entitled "Providing for a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the printing of the 1998 edition of the Summer Magazine and other related recreation materials for the Department of Parks and Recreation in an amount not to exceed $25,000.00, and providing for the payment of the cost there of, payable from Index 180109, Account 526150, Fund 1000, Subclass 150, Organization 520000, Budget Year 1997, in the Department of Parks and Recreation."

Which were read and referred to the Committee on Parks, Recreation and Youth Policy.

No. 207 Resolution Authorizing the issuance of a warrant in favor of Spectacor Management Group in an amount not to exceed Six Thousand Three Hundred Ninety Four Dollars and Fifty Cents ($6,394.50) in connection with the City of Pittsburgh's Baseball Is Great Program; without previous authority of law; and providing for the payment thereof, not to exceed Six Thousand Three Hundred Ninety Four Dollars and Fifty Cents ($6,394.50) chargeable to and payable from Special Parks Program Trust Fund, Index 254359, Account 526150, Fund 7314, Organization 523000, Subclass 600, Budget Year 1998, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO PRESENTED:

No. 208 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 12 and 13, by changing from "M1" Limited Industrial District to "RP" Residential Planned Unit Development District all that certain property bounded by: Sarah St.; Lot 76, Block 29-N in the Allegheny County Lot & Block System; Carey Way; Lots Numbered

198 and 188, Block 29-N in the Aforesaid System; East Carson Street; Lot 159, Block 29-N in the Aforesaid System; Carey Way; Lots Numbered 93 and 95, Block 29-N in the Aforesaid System, 16th Ward.

No. 209 Resolution Approving a conditional use exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to a.m. Rodriguez Associates, for authorization to construct a 4-Story Structure with 70 Units of Housing for the Elderly at 2830 East Carson Street with parking to accommodate 40 automobiles, on property zoned "RP" Residential Planned Unit Development District, 16th Ward.

Which were read and referred to the Committee on Planning, Zoning and Land Use.

No. 210 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh at a cost not to exceed $130,450.00, chargeable to and payable from Code Account (110304)566100-1000-110100-300-G225000-1998.
(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MR. RICCIARDI PRESENTED:

No. 211 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-owned Property in the City of Pittsburgh, Council District No. 9: Block and Lot 173-C-108, 7256 Campania Street, 12th Ward. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 212 Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Hill Community Development Corporation for the Sale of various Properties located on Dinwiddie Street, 3rd Ward, City of Pittsburgh, Council District No. 6 (residential construction) (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 213 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and The Rubinoff Company or a limited partnership to be formed for the sale of Block 48R Lots 75 and 100 in the Sixth Ward of the City of Pittsburgh in Redevelopment Area No. 47, Thirty Second and Thirty Third Streets, Council District No. 7 (construction of flex warehouse facility). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 214 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Nineteen Thousand One Hundred and Eighty Four Dollars and Fifty-seven cents ($19,184.57) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year

1989 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

No. 215 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Twenty-Five Thousand Fifteen Dollars Forty-four cents ($25,015.44) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1990 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

No. 216 Resolution Amending Resolution No. 401 of 1997 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by $2,115,204.00.

No. 217 Resolution Amending Resolution No. 402 of 1997 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project plan; providing for required assurances; providing for execution of payment vouchers and for the certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by $624,604.00.

Which were read and referred to the Committee on Finance and Budget.

UNFINISHED BUSINESS

The Chair:

Under unfinished business we have the approval of Guy Costa to the Parking Authority.

THE CHAIR PRESENTED:

Bill No. 199:

Resolution authorizing the appointment of Guy Costa as the Director of the Department of General Services effective March 9, 1998.

Which was read.

MR. UDIN moved to approve the

appointment.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Is there any additional unfinished business to come in front of Council? There are just two items I would like to mention. The administration has sent over word that there will be no change in the Capital Budget at this time and not at least in the near future. They want to re-evaluate the cost of those projects, so there won't be any need for a Post Agenda.

Another item, I want to thank the Cable Bureau and actually the suggestion came from the Ward Chair Bea Mahaffey that we rebroadcast our two meetings on the weekends. Last weekend was the first weekend that we had it. So all Council meetings will be rebroadcast Saturday and Sunday morning and night at the same time, ten and seven.

So that was a very good suggestion and it keeps our meetings very open and everyone has an opportunity to see them.

Mr. Ferlo:

I do want to thank also Fran Accamando. Over a year ago she asked me about that when I was Council President. I did forward a letter to Director Miskovich. I am glad you worked on acting on that.

I would also ask as I have asked in the past for the signing activity at the end of the meeting, that the pictures be reversed. It makes more sense to have, even though I love the beautiful faces of our City Clerk and the Assistant City Clerk, it would make more sense to have the pictures reversed since the person is trying to see the signing activity which should be the larger presence on the screen as opposed to our two clerks. It is a small point, but on a practical level, why have signing in the first place? It would be helpful if the large part of the picture or the individual signing as opposed to the Clerk who is basically a side bar doing the reading. I would like to make that suggestion.

The Chair:

That is a very good suggestion, I will pass that on.

Mr. Hertzberg:

Just a reminder that we have finally scheduled our Post Agenda on the Truancy issue. It's being held a week from today, next Tuesday, at 2:00 p.m. it is being cable cast at the motion of Council.

Also, on another issue, something else that is unfinished business. That is the Department of Public Works and the reorganization. I have received a memorandum back from Director Ralph Kraszewski on the five-division plan. This is dated March 5. It says we have determined the geographic boundaries of the five divisions. We have completed the bidding for the positions within the five divisions as of March 4. We will complete the evaluation of the bids in five days. Placement of supervisors is under deliberation. This management decision will be made within the next five days. City Council will be updated.

So today would be the fifth day. So presumably that means the decision has been or is being made by today's date and we

should be advised shortly.

The Chair:

We will now move to reports of committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 218:

Report of the Committee of Finance and Budget for March 4, 1998 transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 31:

Resolution providing the issuance of a 3,774.87 warrant in favor of William Weinel in settlement of a claim in which City Public Works employees accidentally cut trees and shrubs on claimant's property, and the issuance of a $725.13 warrant in favor of Treasurer, City of Pittsburgh in satisfaction of delinquent Real Estate taxes for 1997 owed by Mr. Weinel.

Which was read.

Also,

Bill No. 145:

Resolution providing for the issuance of a warrant in the sum of $25,000.00 to Mary Smykla c/o Michael H. Rosenzweig, Esquire, Edgar Snyder & Associates, Gulf Tower, 16th floor, 707 Grant Street, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD 95-12401 alleging personal injury due to a slip and fall within the crosswalk in the intersection of Broadway Avenue and Shiras Street on or about October 19, 1994.

Which was read.

Also,

Bill No. 160:

Resolution transferring the amount of $25,000 from Account 511000, Sub-Class 010 Salaries, Fund 1000, Organization 101200, Budget Year 1998 to Account 525500, Sub-Class 150 Miscellaneous Services, Fund 100, Organization 101200, Budget Year 1998, both within the Office of City Clerk. **(SPONSORED BY MR. UDIN)**

Which was read.

Also,

Bill No. 162:

Resolution amending and supplementing Resolution No. 838, effective January 1, 1998, entitled, "Resolution adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections.

Which was read.
Also,

Bill No. 163:

Resolution providing for an Agreement with a qualified vendor for the lease/ purchase of professional services, computer software and hardware, equipment and related items associated with the

installation, implementation and maintenance of the Department of Finance Integrated Tax Collection, Processing and Monitoring System for Self-assessed Tax Units (the "System"), and providing for the financing of said System through an Agreement with a qualified finance company, cost not to exceed $5,897,840.00.

Which was read.

Also,

Bill No. 164:

Resolution providing for an amendment to "Ordinance N o. 527, approved November 22, 1974, entitled, "Providing for an agreement/s for compensation to the City for the cost of services rendered by the Office of the City Treasurer in the billing and collection of taxes imposed by the School District," so that by such an Amendment the School District shall be obligated to pay its share of the cost of professional services, computer software and hardware, equipment and related items associated with the installation, implementation and maintenance of the Department of Finance Integrated Tax Collection, Processing and Monitoring System for Self-assessed Tax Units (the "System).

Which was read.

Also,

Bill No. 189:

Resolution Amending Resolution No. 856, approved December 29, 1997, entitled, "Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 28th Ward, known as 1252 Idlewood Road, to Idlewood Road Property Company, a Pennsylvania limited partnership," by deleting certain language. **(SPONSORED BY MR. HERTZBERG)**

Which was read.

Also,

Bill No. 193:

Resolution providing for an Agreement with a qualified finance company for the purpose of financing the City's lease/purchase of professional services, computer software and hardware, equipment and related items associated with the installation, implementation and maintenance of the Department of Finance Integrated Tax Collection, Processing and Monitoring System for Self-assessed tax Units (the "System"), at a total cost not to exceed Five Million Eight Hundred Ninety-seven Thousand Eight Hundred and Forty Dollars ($5,897,840). The City's obligation shall be Three Million Six Hundred Fifty-six Thousand Six Hundred Sixty Dollars ($3,656,660), chargeable to and payable from Account 542700, Fund 5100, Organization 102000, Sub-Class PGHPR, Project 2251003, Budget Year 1998. The School District of Pittsburgh's share of the cost of the System shall be Two Million Two Hundred Forty-one Thousand One Hundred Eighty-nine Dollars ($2,241,189).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Udin:

Relative to Bill 162 which is also related to Bill 178 concerning the additional funds made available for the construction at the gymnasium, I would like to have my comments brought forward from last weeks discussion.

I am glad to hear that the administration has withdrawn the series of proposals to amend the Capital Budget that they had originally introduced.

In my view, threatening to destabilize the agreement that we had arrived at during the budget period, and I intend to vote for this measure today in deference to Councilman Diven who was not on Council at the time, these funds were made available by Representative Readshaw.

Also in deference to Representative Readshaw who works hard to bring resources to the City, it would really be a shame if we did not take advantage of the $1.1 million that he made available for the construction of the gymnasium.

But I just want the record to continue to reflect my concern about the way that this process was handled and the additional costs to the Capital Budget of $400,000.

(See Addendum)

The Chair:

Any further discussion?

Mr. Ferlo:

I just want to set the record straight. I want to defend any actions on the part of Director Reginella. I don't characterize that something went array as it relates to the bidding and the function and the carrying out of the project of the expansion and the new Phillips Park Recreation Center.

There are times frequently in the past where bids come in, sometimes they come in higher than anticipated or hoped for. We have also had capital bid projects come in lower. That has happened on a number of occasions; I believe with the Volunteers Field Capital project. I think the Director is committed to a community planning process any time the community is involved in the scope of services. I know I have been very active in my district before we do a playground, we involve the community and the design and the configuration. We have had great cooperation and support not only from Director Reginella but his parks architectural staff who are class acts. They work very hard.

Anytime you have the community involvement of which there was significant to the credit of the community involved in this project that also adds to the time process. I think it is unfortunate that bids came in too high, but I reiterate some of the points that Mr. Ricciardi made. I represent some neighborhoods that are similar to Overbrook and Carrick and Bonair to the extent that there are neighborhoods that have not been available to utilize community development Federal Block Grant Dollars. I have neighborhoods that are some of the strongest residential tax-paying base in the City, but yet they have had the least amount of capital commitments and infrastructure dollars from the city budget over the last decade and they're paying the freight for whole City.

So once in awhile when we have an opportunity to return, in this case a small amount of money, it is not only fair in terms of equity, I think it makes good sense in terms of growing the City and maintaining the quality and the infrastructure of the residential neighborhoods throughout the City. Disproportionately Citywide I would like to think of ourselves not only as District Council but City wide interests.

Disproportionately there are neighborhoods outside of the south and west that benefit because of the presence for instance of the four regional parks. If you add up the rec centers, the ball fields, the playgrounds, disproportionately you will see a greater share and wealth of those resources being outside of the south and western portion of the City.

So to me, I would trip over myself to spend the $400,000 for Phillips and especially given the tremendous advocacy on the part of the community. That is true for the Seniors Center in Overbrook the same type of scenario. I respect some of the comments made, but I think the Director did do diligence and performed admirably in terms of bringing this project to fruition.

Mr. Diven:

I would just like to thank my colleagues for making this happen. I know in last week's Standing Committees Session, we talked about how long the neighborhood has worked and what the impact of this center would be. We are looking at fifteen years the community has requested and worked towards this goal. It will benefit three neighborhoods in the City of Pittsburgh.

I want to compliment and commend Council for seeing that need and stepping up to the plate because without their help we would have been to square one. We would have lost the $1.1 million grant. I don't think we would have been in a position to get that kind of assistance from the state for many years to come. So this situation in passing this legislation will provide an answer to what people have been demanding for many years.

I want to extend my thanks to the members of Council for making it happen, and welcome you all up to take advantage of the facility once it is constructed.

Mr. Onorato:

I want to add my strong support again and my comments and appreciation to Representative Readshaw for bringing back state funding into the City of Pittsburgh. I would like to just elaborate a little bit on what Councilman Ferlo was saying. Because I agree, I represent a district that has a combination of neighborhoods that do qualify for Federal Block Grant Dollars and neighborhoods that are very much like the Brookline or Carrick's where they don't qualify.

I think we have to look at the history of the City in that we get over $21 to $22 million a year in Block Grant Dollars. That's per year, $21 million and that only can be spent in CD neighborhoods that qualify. If you don't qualify, none of that money goes there. Then, if you look at the $40 million that we are spending this year in bond money and how that is being distributed and there is a lot of great big time developments in the budget, but that's not in certain neighborhoods. If you look at the actual money being spent in some of the neighborhoods and if we actually did a chart, I think we would be surprised some of us to see where the majority or how the money is being spent because of different projects dictating where the money should go.

That is not saying it is right or wrong, but I think it is time that we recognize because certain neighborhoods do not qualify for federal dollar spending that we can't go on and assume that these

neighborhoods are going on auto pilot and don't need any care taking because they do. We have got to pay attention to all of our neighborhoods.

I think and I will be happy to make a statement to any State Representative at this point or Senator if anyone brings in a million to anyone of our districts. I will be more than happy to match it with $400,000 in any of our districts. To me that's a great ratio where you can get a million one, basically matching dollars, for $400,000 putting into a project. I will take that ratio any day of the week. If anybody can bring that back to the City, I will be more than happy to throw City bond money to it. It's a great utilization of the dollars.

I think that Phillips Park will be a great addition to the City and as long as we can stabilize all the neighborhoods in the City that that is a benefit to all of us no matter where you live. Because if we maintain and increase the tax base in the City of Pittsburgh, we can continue to provide programs for all of us.

I think this is a good move. I want to applaud Representative Readshaw once again. I know sometimes that we are here arguing over different issues with the State. But this is one time that we should all applaud a particular Representative for bringing that type of money back to the City. What is good for Carrick and good for Brookline is good for all of us in the City. I applaud both Councilman Diven and the Representative for putting this plan together.

Mr. Ricciardi:

I think this bill today is a very exciting bill, a dream come true for several neighborhoods, Carrick, Overbrook and Bonair. I think it's just going to be a great place to have recreation programs and such a nice facility.

Also, I want to commend Councilman Michael Diven who has really made sure that this did come to nutrition. I think he worked very hard with the administration to make sure the $400,000 would be available. I appreciate the comments from our Finance Chair, but I am just so pleased that this is going to happen.

I am very pleased with Harry Readshaw who is a very fine gentleman who was able to come back with the $1.1 million. He is a very fine man, very hard working. Once again, I would really like to put a lot of this good time on the shoulders of Michael Diven to make sure that it comes to fruition.

Mr. Cohen:

Even beyond the fact that we got $1.1 million from the State through Representative Readshaw and even beyond the equity arguments that Councilman Onorato makes, I think we need to reward organization and patience. The community groups over at Carrick and Overbrook and Bonair really have waited a long time, worked very hard to get a Community Center of their own, and Councilman Michael Diven has really worked hard to make sure that that happens. So I am very happy to support this bill.

The Chair:

Again hopefully not lost in the shuffle for Mr. Ferlo's Committee, I think Mr. Reginella has done a great job, Engineering and Construction, pulling all of this together so quickly. Also I mentioned I think in the South Hills and we all came

together for Pioneer Avenue. I think this is the same type of effort.

But I want to commend you Mr. Diven again for pulling this together and Harry Readshaw has really brought home the bacon, not only for your district, I know in the 31st Ward we are very thankful to him and all the hard work he has done.

The bills are now ready for final action. All in favor of the passage of the bills, will vote aye when your names are called, all those opposed will vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

(Mr. Ferlo voted no on Bills 31 and 145)

The bills having received the legally required number of votes are passed finally.

The Chair:

Let the record show it is unanimous on Phillips Park, and I thank all of you for your hard work.

MR. HERTZBERG PRESENTED:

Bill No. 219:

Report of the Committee on Public Works and Environmental Services for March 4, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 154:

Resolution providing for an agreement or agreements by and between the City of Pittsburgh (City) and Allequippa Terrace Common Area Limited Partnership (Allequippa Terrace) in connection with the reconstruction and redevelopment of the Allequippa Terrace project in the City.

Which was read.

Also,

Bill No. 155:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase, repair, refurbishing and/or rental of equipment, and providing for the payment thereof, not to exceed Four Hundred Fifty Thousand ($450,000.00) Dollars, chargeable to and payable from Account 500000, Fund 5100, Org. 400000, SubClass PGHPR, Project 2249412, Budget Year 1998, Capital Equipment Acquisition, Department of Public Works.

Which was read.
Also,

Bill No. 156:

Resolution granting unto Frank J. Zottola, Box 180, Valencia, Pa. 16059, his, successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on Yazoo Way and

Smallman, 6th Ward, 7th Council District, of the City of Pittsburgh.

Which was read.

Also,

Bill No. 187:

Resolution providing for a Contract or Contracts or use of existing Contracts and/or an Agreement or Agreement, or use of existing Agreements, and for the purchase of materials, supplies and equipment in connection with the Wall, Step and Fence Program at various areas throughout the City, and providing for the payment of the cost thereof, not to exceed $909,000.00 chargeable to and payable from the following accounts:

Fund 5100, Org 400000, Sub-Class PGHPR, Project/Grant 2229936, Budget Year 1998, Amount $15,000

Fund 2610, Org 400000, Sub-Class C1998, Project/Grant 2220036, Budget Year 1998, Amount $71,000

Fund 5100, Org 301000, Sub-Class PGHPR, Project/Grant 2220036, Budget Year 1998, Amount $349,200

Fund 2610, Org 301000, Sub-Class C1998, Project/Grant 2220036, Budget Year 1998, Amount $473,800, Totaling $909,000.
Which was read.

Also,

Bill No. 188:

Resolution Authorizing an agreement between the City of Pittsburgh and PA Cleanways or a PA Cleanways City Chapter for the purpose of fighting illegal dumping and littering within the City. **(SPONSORED BY MR. HERTZBERG)**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Cohen:

I am going to ask that Bill 187 be recommitted. It is for the Wall Step and Fence Program, obviously it is a program that we all support. But I have to get a little parochial here in terms of a project that I have tried to get done in my district now for four years. All of you, I think, are aware of it, and that is the Mellon Park wall and fence. Which is a disgrace right now and it has been for a while.

I have gotten commitment after commitment from the administration that that's going to be done including in our latest budget deliberations back in December. I got a commitment from the administration that it was going to be done in 1998. It is not a big project, it is not a big project at all, and it is less than $100,000.

But just yesterday and this is the reason I am asking for the recommitment, just yesterday I get a letter from Director Reginella. I had asked him for a date certain on which this would be started. In the letter it says the following:

The Mayor's proposed Capital Budget amendment shows a line item that calls for the inclusion of said amendment of $50,000 for the Mellon Park wall and fence. I think you all remember that. That was put

in the recent Capital Budget amendments and some of the motivations were discussed last week. Given the current nebulous status of the proposed amendment, and its unlikely likelihood of being ratified, we doubt that this money will be made available for construction purposes this year.

This is exactly what we talked about last week, that the Mayor put in this money so as to get my vote for that Capital Budget agreement. Now that it is not going to go forward, the Mellon Park wall and fence, which the community has been trying to get done for four years, it is not going to be started again this year.

I have to question the Director about this because it is just not right. I would like to ask Council's indulgence for the recommittal of this bill for that purpose. I have talked to the Chair of the committee about this.

MR. RICCIARDI seconded for discussion.

Mr. Ricciardi:

Obviously, I will support the motion to recommit this particular bill because I think our colleague Councilman Dan Cohen has every right to make sure that project moves forward.

For the record, I would just like to mention to my colleagues that hopefully we will be able to move on that bill in some sort of form. The reason for that is there is an important roadway on that bill called Windom Street, which this Council has voted for two others times. This was the last vote in terms of the bids that were coming in.

Colleagues, as you recall Windom Street leads to the Germantown neighborhood in the South Side Slopes. There is only one way in, one way out. The road is on the verge of collapse. It has become a safety hazard. We did vote two other times to and in the last two years as a matter of fact to make sure that corrective actions were taken.

Unfortunately, as one of those things that the more research and work and design that we did on the road, we found out that more money was needed and this was part of that bill. However, in deference to my colleague Councilman Dan Cohen I will vote to recommit this bill to make sure that the particular project he's interested does move forward. But I want to remind my colleagues that hopefully when the bill comes up for discussion tomorrow that your support will still stay for Windom Street since we have voted for that particular project two other times in the last two years.

Mr. Hertzberg:

Thank you I have no problem recommitting this bill. I am happy to do it for Councilman Cohen. I know that this Mellon Park wall issue has been one that has dogged him unfortunately for probably four years now. I am in full support of trying to resolve that problem.

I know too that which department a particular project is budgeted under has a lot to do with who does the work. Going through engineering usually means that it's going to be done by a third party. If we can get it underneath this particular bill here, it will be done by our in-house -- by the City. I have no qualms with doing that. We have plenty of skilled personnel in our Public Works Department and also in our General Services Department that can do this type of

work. They may be how we have to do it.

If we recommit it, we can talk to the Director or Directors, whatever Councilman Cohen would prefer about whether there is a way to do this.

Mr. Ferlo:

I don't have any objection to recommitting this, because I think the more we talk about it, great. Let's be clear about a couple of things. First of all, I think we are mixing apples and oranges here. This Code Account traditionally has come out of Public Works and it involves the construction or redesign of the basic infrastructure. Major walls around the City that are crumbling and we had discussion about our commitment relative to the Schenley Construction Project and the need to code the wall.

Councilman Ricciardi makes this point that he has been struggling on with the Wydham Wall. We did one a few years ago in Councilman Hertzberg's District from this Code Account. This is more than major infrastructure both through Public Works and E and C. I respect the fact that the Mellon fence needs to be done, but every one of us has fences that need to be done. I can talk about a lot of ornamental fencing not only in my Council District, but around the City that is badly in need of restoration or repair as well as the Mellon Park fencing that Councilman Cohen has spoken about throughout the last couple of years.

There had been in the past through Engineering and Construction an ornamental fencing code account, which I had put in many years ago. Actually it has been responsible for the repair of a number of ornamental fencing. If you notice the new fencing that was done in repair of the Bigelow Boulevard fencing three years ago, Hill Road through the Zoo was done, part of the West Carson Street was done -- it is being worked on.

So the point is, I think when we have the discussion if we could have both the E and C Director there and Public Works because I think we are talking about different code accounts. E and C also has the power to use the B Contractors as well as some in-house staff and personnel. So I think it would be helpful if we are going to get to the heart of the issue. If we could have both Directors Reginella and Kraszewski here and that while this bill is being recommitted, I think we need to talk generally about the prioritization of walls that are actually falling down and are in immediate need of repair and major liability in terms of public safety versus, in all do respect to some extent, the lesser prioritization of ornamental fencing, whether it be Mellon, in my Council District, or elsewhere.

I think we need to broaden up the discussion so we have a better sense of what we are talking about tomorrow. I will vote to recommit. But if we could have a good discussion, let's have both Directors there. Be mindful that we are talking not only about major infrastructure that is crumbling and at the point of when Edgar Snyder is about to sue us, like the other bill we just had, versus decorative fencing that is ornamental in nature and is in badly need of repair.

The Chair:

We have a note of the two Directors.

Ms. McDonald:

I will be supportive of Councilman Cohen on this issue. I think what is important is that this is a very small amount of money as of what we saw last week at the Standing Committees Meeting when we had all of those capital amendments, you are talking about $50,000. That's not a lot of money for the over all budget. For this item to be held up for years, I think that it would be prudent for Councilman Cohen to ask for recommittal of a major bill to have people at the table so that we can hear both sides. So that we can find out what is the priority of the repairs that are about to be scheduled.

I just can't understand why a $50,000 item would have been held up for years. I am still surprised. This is something that the administration should have been able to get done one way or another, to get it done. Whether in-house, B -- I don't care how it is done. Just do it and get it out of the way instead of having one Councilman keep hammering about the same issues. It looks silly that is what it does. It looks silly; it looks ineffective on the part of the City of Pittsburgh to be able to get something done. But I would like to see it come up.

I would like to know why it is taking so long. My district abuts Councilman Cohen's district. I have to drive down Fifth Avenue all the time. You have a major park right acrossed the street. This is not just an ornamental fence; this is a major thoroughfare for the Oakland and Shadyside community. This is not just about a park and a fence. This is about what our roadways, what the ambiance even looks like. We are going to talk about billboards and grass cutting and all that, let's talk about this fence too.

That's a major thoroughfare, cars get backed up along that segment, that block. What am I looking at, a crappy fence. So if we are going to talk about beautifying our City, let's talk about it. We are only talking about a $50,000 project. So I am curious why it is being held up.

Mr. Onorato:

Briefly, I just want to say I strongly support Councilman Cohen's effort here. I know he has been asking a long time for this. But if I can throw on the table for discussion tomorrow if it gets recommitted, Councilman Cohen, is that this bill allocates $909,000 for wall, steps and fences. The account -- they left about $200,000 in the account. They did not transfer all the money. You might want to ask what's the additional $200,000 going to be used for? Why wasn't it allocated to be spent? So there is money in there that was not put forward. I don't know if that's safe keep money, but there is more than $50,000 sitting in the account left above the $909.

Mr. Cohen:

I have much appreciated my colleagues' support. It means a lot to me and the people in my district. I had two points to make, Councilwoman McDonald just made one of them and made it better than I ever could. The other is, there is some method to my madness and that is having both the Director of Public Works and the E and C Director here, I think it is important. I don't see why Public Works can't do this. We have tried now for three years to have E and C do it, it hasn't been done.

We have good artisans and crafts people and workers in the Public Works Department. I am now ready to say, let's have Public Works do it. I think they could do it well. It isn't just a fence; it is also the

wall. The wall has a – a major portion of it has been taken away. That needs to be built up too. Maybe we could go with our own workers, I think we --

The Chair:

We have a motion to recommit Bill 187.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

The bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

MR. RICCIARDI PRESENTED:

Bill No. 220:

Report of Committee on Housing, Economic Development and Promotion for March 4, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 158:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in Redevelopment Area No. 35 in the 27th Ward of the City of Pittsburgh (Council District No. 1): 27th Ward, Block and Lot 115-E-35 (Part), Address Weitz Way. **(SPONSORED BY MR. ONORATO)**

Which was read.

Also,

Bill No. 159:

Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Armand and Anna Borgese for the Sale of Block 115-E, Part of Lot 35, in the 27th Ward of the City of Pittsburgh, in Redevelopment Area No. 35 (Council District No. 1 - Weitz Way-Sideyard). **(SPONSORED BY MR. ONORATO)**

Which was read.

The Chair:

You have heard the reading and the title of the bills, any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called;

all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

All the bills having received the legally required number of bills, are approved finally.

MR. FERLO PRESENTED:

Bill No. 221:

Report of the Committee on Land, Buildings, and Procurement for March 4, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 176:

Resolution Authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Three Million Nine Hundred Twenty-five Thousand ($3,925,000.) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities, chargeable to and payable from Fund: 5100, Organization: 840000, Sub Class: PGHPR, Project: 2255899, Budget year: 1998

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Hearing none, bills are now ready for final action. All in favor of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes are passed finally.

MR. FERLO PRESENTED:

Bill No. 222:

Report of the Committee on Engineering and Construction for March 4, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 178:

Resolution Further amending Resolution #165, effective April 15, 1997, as amended by Resolution #812, effective December 23, 1997, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the construction of an addition to the Phillips Park Recreation Building and for the purchase of materials and equipment for said project; and providing for the payment of the cost thereof," by increasing the total project allocation by $400,000.00 from $1,140,000.00 to $1,540,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills having received the legally required number of votes, are passed finally.

The Chair:

Anything under motions and resolutions? I want to remind Council we have an Executive Session today at 2:00 p.m. concerning the Public Safety issues. Tomorrow we have two Public Hearings and on Thursday at 10:00 o'clock we have a televised hearing on Nine-Mile Run.

Do I have approval of the minutes?

MR. UDIN moved to approve the minutes.

MR. COHEN seconded the motion.

The Chair:

Motion to adjourn?

MR. FERLO moved to adjourn the meeting.

MR. COHEN seconded the motion.

Which motion prevailed.

And on the motion of Councilman Ferlo, the meeting adjourned.

ADDENDUM

Councilman Udin's comments on Bill 162 can be found in the Standing Committees Meeting minutes of March 4, 1998.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *March 17, 1998* *No.* 11

Municipal Record

ONE-HUNDRED
THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, March 17, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

We all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world. We are fortunate enough today to have three members of Linden School in Councilman Dan Cohen's District. We have Johnathan Seppi and his brother Scott unfortunately couldn't make it at the last minute. Jimmy McNeill in the third grade and Molly Morrill in the fourth grade. Johnathan is in the third grade.

Please lead us in the pledge.

Johnathan Seppi, James McNeill, and Molly Morrill:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

On behalf of Council we have a flag of our City and our Nation to present to you. Mr. Cohen please come up. We have one for your brother who could not make it.

We have many special guests today. I am sorry to be a few minutes late. We had a very important announcement at Three Rivers Stadium concerning the new Pirate Baseball Park. So thanks for waiting for us.

PRESENTATIONS

Mr. Udin:

Good morning. Ms. Warmsly and Connie Portus and all the Renaissance Publication Trailblazers please come forward.

On behalf of Councilwoman Valerie McDonald and myself and other members of Council it is a pleasure to be able to present this resolution every year to the Trailblazers that have been selected by the Renaissance Publications Award Selection Committees of -- there are three different categories of

awards that are given. There are the Trailblazers Awards, then there is the KDKA Television Lift Up Awards and Awardees, and then on top of that there are 30 young people who are given a Young Achievers Award so that there is a way of passing on the torch to the next generation.

The contribution that Connie Portus makes to the African-American Community in this effort is invaluable and immeasurable. I want to take this opportunity to thank her for being consistent in this effort and not letting it drop. I would like Councilwoman McDonald to say a few words and then I will read the resolution.

Ms. McDonald:

Thank you, Councilman Udin. It's a pleasure and it's an honor to co-sponsor this resolution with Councilman Udin. This event has taken place how many years, Connie?

Ms. Portus:

Thirteen years.

Ms. McDonald:

Thirteen years. I remember when it was initially conceived and I believe it has always been at the -- has it always been there?

Ms. Portus:

Eleven years.

Ms. McDonald:

Eleven years. I must have been there for the fourth year because it was my first time and at that time I was a Girl Scout Leader. Connie Portus does reach out to the community and through her outreach of this type of event, she outreached to us in the East Hills area. We had about 15 young ladies who came to the event and saw all of the Trailblazers and people that they need to admire not because you read about them in books because they are long gone and resting peacefully, but that they are walking around. These are your heroes and heroines that they should be looking up to.

So, Connie, congratulations. I will be there. I plan to make sure that this event is successful. If you need any help, let me know. But I think Council is basically supporting this event through this resolution is a step in the right direction. So again, after 13 years, Connie, thank you very much.

MR. UDIN AND MS. MCDONALD PRESENT:

No. 223 WHEREAS, on March 28, 1998, Renaissance Publications will sponsor the 13th Annual black Extravaganza & Trailblazer Awards Ceremony, which is a community celebration honoring African Americans who have made an impact in the fields once closed to blacks; and

WHEREAS, the mission of the Black Trailblazer Awards is to recognize the African Americans who have worked tirelessly in their professions, blazing trails for younger generations to follow; and

WHEREAS, Pittsburgh will pay homage to the 1998 Black Trailblazers for their many accomplishments and contributions to the community. The honorees are: Jean Bryant, Youth Empowerment; Dave Epperson, Ph.D., Leadership Achievement; Algia Gary,

Community Empowerment; Richard Earl Harris, Pittsburgh Pirates; Reverend Sylvester Holmes, Religion; Curtis H. Love, Volunteer Service; Leon Lynch, Labor; Lee B. Nicklos, Education Administration; John Parker, Public Service; Representative William Robinson, Political Service; Bev Smith, Woman of Distinction; Margaret Smith Washington, Health Education; and Thelma West, Business, and

WHEREAS, the recipients of the KDKA Television Lift Up Awards are: Kathleen Bryan, National City Bank; Financial and Moral Supporters (FAMS), POISE; Emiel Glaze, Giant Eagle; Joel Hollis, Peoples Gas; Alena Leggett, Mellon Bank; Dervel A Reed, Duquesne Light Company; Christa Washington, PNC Bank; Margaret Smith Washington, University of Pittsburgh Medical Center; and Douglas V. Wheeler, ERI; and

WHEREAS, thirty young persons will receive the Young Achiever Award Recognizing and encouraging African American youth who are pursuing higher education; and

WHEREAS, the Trailblazer Awards Ceremony will be hosted by Jerome Bettis of the Pittsburgh Steelers and Lynne Hayes Freeland of KDKA Television; and

WHEREAS, over seventy-five volunteers have worked diligently to produce a celebration of the extraordinary lives of the awardees.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the honorees for the 1998 Black Trailblazer Award, Lift Up Award, and the Young Achiever Award for their exemplary contributions to the City of Pittsburgh. We also extend our appreciation to Renaissance Publications for its efforts to highlight the achievements of African Americans.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Udin:

I have copies of the award for the Trailblazers but we don't have 30 for the Youth Achievers and Lift Up Awards. But we do have enough for the Trailblazers. I would like to ask Connie Parker if she would share a few words and if there is a representative perhaps for the Trailblazers who could speak as well.

Ms. Portus:

I am often called Connie Parker and I love it because she is so wonderful and so beautiful in this City. I want to acknowledge that Dwayne Woodruff walked up here with us. He is going to be part of the media and sports personalities that will be on the program for the Black Extravaganza. I know that he has other business before Council so this is sort of to soften you up before he gets to speak.

To Councilman Sala Udin and Councilwoman Valerie McDonald, Chairman Bob O'Connor and members of Council, I am very grateful that you have taken this time to recognize such a deserving group of individuals. Renaissance Publications is very proud to have the privilege of honoring them at our 1998 Black Extravaganza March 28. I invite you

all to join us at Carnegie Museum.

Now that the month of romanticizing the struggles of African Americans is over, we can take a serious look at what we must do about the struggles we face and the lessens we must learn to use and to change the black experience in our communities across the world. The events like this will be truly one of celebration of what we have accomplished not as a single person but as a whole community.

The men and women who are the 1998 Trailblazers are not just people who have done extraordinary things but more than that, they are people that have accomplished ordinary objectives under extraordinary conditions. Some held positions that were created because of these extraordinary conditions. Some built businesses and persevered in communities that faced extraordinary turmoil. Others worked along side those who made ordinary tasks extraordinary to accomplish. Some persevered because this mission was greater than the conditions.

I invite you not to wait until next February to learn what odds African Americans must surmount. Don't wait for a special meeting to discuss the challenges African Americans face. I invite you to look at the lives and talk with the people both young and senior who stand here today. I invite you to not wait until we dust off the black history book in February of 1999. They can tell you today about the challenges concurred and the challenges before us in our own City.

To the 1998 black Trailblazers and the 1998 KDKA Lift Up honorees we are proud of you for your extraordinary examples of accomplishing ordinary tasks, and for the paths you have beaten for generations of African Americans to follow. Thank you so much.

Mr. Cohen:

Folks from Western Pennsylvania Hospital please come up here. Members of Council and members of the audience, it is a great privilege to present a proclamation to the Western Pennsylvania Hospital, which is celebrating its 150 years in the City of Pittsburgh and 150 years of serving the people of the Western Pennsylvania area. With that I would like to read the proclamation.

MR. COHEN PRESENTS:

No. 224 WHEREAS, The Western Pennsylvania Hospital, the nation's first public chartered hospital in the region, which has been serving Pittsburgh and the surrounding areas with the highest quality of health care for one hundred and fifty years; and

WHEREAS, the administration, medical staff, employees and volunteers are upholding the original purpose and mission of The Western Pennsylvania Hospital: to provide health care in an institution that is, in the words of its founders, "worthy of our city and vicinity and the age in which we live"; and

WHEREAS, The Western Pennsylvania Hospital was the first in the area to build a hospital for the insane, the first in the area to serve as a veterans' hospital, the first in the area to sponsor a medical college, the first to open an intensive care unit, the first in the area to perform a bone marrow transplant, the first in the area to provide basic medical care on

an outpatient basis, the first in the area to build a heliport, the first hospital to operate a state-licensed daycare center, the first in Pennsylvania to open a spina bifida clinic for young people, the first hospital to open a center dedicated exclusively to breast diagnostic imaging and the first in Pittsburgh totally dedicated to patient focused care; and

WHEREAS, The Western Pennsylvania Hospital is distinguished by its centers of excellence in health care, including its Burn Trauma Center, Cancer Institute, Cardiovascular Institute, Joslin Center for Diabetes, Women's Health Services; and

WHEREAS, The Western Pennsylvania Hospital provides community-based programs for the benefit of senior citizens, high school students and under served populations in the East End of the City of Pittsburgh and is in partnership with local charitable organizations and community representatives to improve the health of area communities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate The Western Pennsylvania Hospital for providing 150 years of Excellence in health care for the people of Pittsburgh and hereby declares March 18, 1998 as The Western Pennsylvania Hospital Founders' Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Cohen:

This is really is a mile stone for a very important institution in Pittsburgh and Western Pennsylvania. The Western Pennsylvania Hospital as you heard has certainly served the health care needs for many of the people of Pittsburgh and Western Pennsylvania for 150 years. But I want to speak for a moment as a member of Council and that is someone who like all of you is involved in the community that I represent. West Penn Hospital really has been a partner, a partner with a number of the projects that I have worked on and Councilman Ferlo has worked on and has been truly an important member of the community.

So, from the perspective of the City, I want to thank you not only for providing healthcare for these many years but also for being such an important partner with the City of Pittsburgh for community projects.

With that I want to introduce James Rosenberg who is the Chief Operating Officer of West Penn Hospital. I would also like to introduce Barry Deems who many of you may know who is the Vice President of West Penn Hospital. We would like to ask both men to say a few words.

Mr. Rosenberg:

Dan, thank you very much. Councilman O'Connor, the City Council, it's truly a privilege to be here on behalf of the Western Pennsylvania Hospital, its medical staff, its employees, its volunteers. We do take a great deal of pride in our legacy of 150 years of service to this public. We are the first chartered hospital in the Western Pennsylvania region. In 1912 we moved our hospital to Friendship Avenue and it became

known as the hospital built on friendship.

Councilman Cohen has reviewed a number of firsts for the organization. We take pride in those and as we go forward, we are very proud of our past and we are very focused on our future. We look forward to serving this community in the future and for another 150 years. With permission, I will be pleased to come back at that point and accept the 300-year anniversary. Thank you very much.

MR. COHEN PRESENTS:

No. 225 WHEREAS, founded by artists in 1945, and given buildings by the Marshall and Scaife families soon thereafter, the Pittsburgh Center for the Arts is the largest community arts center in Pennsylvania, serving the artists, arts organizations and arts audiences of southwestern Pennsylvania; and

WHEREAS, located at the corner of Fifth and Shady Avenues, the Pittsburgh Center for the Arts annually presents fifteen to twenty exhibitions of regional, national and international contemporary art; and

WHEREAS, Pittsburgh Center of the Arts shops in four locations around our City sell the work of over 600 artists; and

WHEREAS, the school of the Pittsburgh Center of the Arts employs 180 professional artists who teach over 600 classes and workshops annually; and

WHEREAS, in recognition of its 53rd Birthday and the 50th Anniversary of the school, the Pittsburgh Center for the Arts is celebrating by having a Birthday Bash designed to thank the community for its support and enthusiasm through the years; and

WHEREAS, the Birthday Bash will include such free activities as the first high-definition video festival in Pittsburgh, a live, remote broadcast by radio station WYEP's popular Saturday Light Brigade, live Gateway to Music school programs and numerous hands-on art activities and demonstrations.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks the Pittsburgh Center for the Arts for 53 years of dedicated service to our City's arts community.

MR. COHEN PRESENTS:

No. 226 WHEREAS, Sanford "Cookie" Danovitz has served as President of the Tree of Life Junior Congregation, the Men's Club, and the Tri-State Federation of Jewish Men's Clubs; and

WHEREAS, Sanford "Cookie" Danovitz has been an active and dedicated supporter of the Tree of Life Minyanaires, whose activities have ranged from organizing breakfasts to signing checks to leading the evening minyan; and

WHEREAS, Sanford "Cookie" Danovitz serves on the Tree of Life Social Action Committee, is a member of the American Legion, and as a Jewish War Veteran, regularly volunteers at the Veteran's Hospital in Aspinwall; and

WHEREAS, Sanford "Cookie" Danovitz has distinguished himself by his volunteer activities, which reflect forty-three years of distinguished service; and

WHEREAS, Sanford "Cookie" Danovitz is the devoted husband of over 50 years to Edise, and the father of two sons, grandfather of three grand-daughters and the great-grandfather of two great-grandchildren; and

WHEREAS, in recognition of his dedication to his Congregation and support for the State of Israel, Sanford "Cookie" Danovitz will be honored by Tree of Life Congregation and the State of Israel Bonds at a wine and dessert reception on March 15, 1998, with noted Pittsburgh entertainers Joyce Levenson and Howard Elson providing "An Evening of Song."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Sanford "Cookie" Danovitz for his dedicated years of service to our community.

The Chair:

Motion to approve?

MR. COHEN moved to adopt the resolutions.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Diven:

This being Saint Patrick's Day, I thought it would be a great time to recognize the efforts of some Irish American Community Organizations that are working to help provide peace and human rights in Northern Ireland.

Colleagues, I have passed out a copy of the Charter For Change and what this document is, it calls on the government of Great Britain and Northern Ireland to provide an equal and fair process to provide peace to those communities and guarantee everyone human rights and civil rights.

I am introducing today a proclamation to ask for your support endorsing this Charter For Change and I have brought some people along. We have the Irish American Unity Conference, Sarah McAuliffe Bellin will be speaking. We have members of the Irish Northern Aids society. So I will start this proclamation.

MR. DIVEN PRESENTS:

No. 227 Whereas, the Greater Pittsburgh Irish Northern Aid Committee has consistently sought to advance the peace process and to seek justice for the people in northern Ireland through the passage of various resolutions and legislation, including the MacBride Principles; and

Whereas, a group of concerned persons from northern Ireland, after reflecting on what changes and what guarantees of rights are needed for Nationalists and Unionists to work together to build a future as equals, has designed The Charter For Change, which corresponds to the basic ideas of equality, liberty, justice and democracy embodied in sacred documents such as the United States Constitution and Bill of Right, in domestic and international law and treaties, and in basic notions of fair play and equality; and

Whereas, the denial of equality and full rights for all people had been the root cause of the conflict in northern Ireland, and all people everywhere should, at a basic minimum, be guaranteed these rights, the people in the North of Ireland being no

exception, and further that these rights must be secured and guaranteed through the peace talks, no matter what governance structures are ultimately negotiated by the parties and the governments by May, 1998; and

Whereas, Irish Americans persuaded President Clinton to provide leadership in the Irish peace process, resulting in the appointment of the Special Envoy from the United States to chair the talks.

Now therefore be it resolved, that the Council of the City of Pittsburgh wholeheartedly endorses The Charter For Change as a democratic agenda that must be enacted to ensure that peace, justice and full reconciliation are achieved in Ireland.

MR. COHEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to call up Sarah McAuliffe Bellin to say some words.

Ms. McAuliffe Bellin:

Let me take this opportunity to thank all members of Pittsburgh's City Council and Councilman Diven for considering the Charter For Change. My name is Sarah McAuliffe Bellin. I am the President of the Pittsburgh Chapter of the Irish American Unity Conference. I am here with Judy Handerhan and other supporters of Greater Pittsburgh Northern Irish Aid to thank you very much for supporting encounter the Charter for Change.

Citizens of democratic countries most assuredly share the beliefs that all people are entitled to certain basic fundamental human and civil rights. The leaders in the request for peace in the north of Ireland have attempted to follow the path of the heroes of the American Civil Rights movement as well as the experiences of the leaders of the African National Congress and their journey for justice in democracy in South Africa.

It may seem illogical that in 1998 the British and Irish government countries who have a tradition of democratic ideals cannot consent that certain rights should be guaranteed to its citizens, the right to equal treatment under the law for all. The right to equal treatment and including the end of discrimination in educational and housing needs, the ability to have confidence not fear of the police force, to have the faith in the justice system will equitably readdress the wrongs committed against any citizen. To enjoy the free expression of one culture and language, to be represented by those fairly elected, to pursue a political mandate set forth by the people, to be aloud the expression of once political beliefs without fear of imprisonment and retribution.

These are rights that I am sure all of you sitting here strive for in representing the people of Pittsburgh. For this reason, I am very glad that you are lending the moral weight of your position as a representative of the City that has a strong tradition of democratic ideas.

You will join many other institutions here in this country that have passed a resolution supporting the Charter For Change including the Massachusetts State Senate, the City of New York, the County of Rockland, the American Postal Workers

Union, the Union of Needle and Industrial Trades Employees, Local 1199 Health and Human Services International Union and many other mentioned on the attached list that I believe was passed out to you earlier.

The Charter For Change is a document that can be supported and backed by anyone as spouse and fair and equitable treatment for all individuals. It's a document that must be incorporated into any settling proposal in the peace process. Thank you again for your time.

Mr. Diven:

I would like to personally thank the colleagues for supporting this resolution. I know that Saint Patrick's Day in light of the Parade and all the celebrations, we look at the Irish heritage with a lot of problems in Northern Ireland. A lot of times the whole story doesn't come across in the media.

There are serious human rights and civil right violations that are being used against many of the population in Northern Ireland. Hopefully this resolution -- we are going to ask the City Clerk to send a copy to President Clinton and to the Prime Minister of Great Britain for their review. Hopefully we can encourage more people to take notice and be aware of the human rights violations that are going on there.

Thank you for your support of this proclamation. I would like to recognize members here of the Irish Northern Aids Society. We have Judy Handerhan, we have got Ron McConnell, Lynn McGuire and Mary and Donald Matz. We thank you for coming out and we thank you for presenting this proclamation for us to vote on. I think human rights and civil rights are important to this Council. We are happy to sponsor legislation that will help them in other parts of the world.

Mr. Cohen:

I want to commend my colleague Michael Diven for bringing this forward to us and people like Sarah McAuliffe Bellin whose in-laws I know quite well. Because this is such an important issue, this Council has stood strong for human rights in Northern Ireland in a strong position and supporting the McBride principles several years ago and now supporter for the Charter For Change.

It is just as a historic time in Northern Ireland and in Britain right now. I hope that Prime Minister Tony Blair backs up his words with action because he seems to be the first Prime Minister. Perhaps everyone who really wants to sit down and produce an accord, I hope that it is one that fulfills this mandate and that is to respect human rights in Northern Ireland. I just want to thank Michael Diven for bringing this forward.

Mr. Udin:

Yes I also want to express my strong unity with the principles that are elaborated within this Charter For Change struggle of the people of Northern Ireland for national, for democratic, and for human rights. It is an important struggle. Not only for the people of Northern Ireland, but for people who are struggling all over the world.

I appreciate association that you have made with the African National Congress and this celebration occurring as it's around Saint Patrick's Day gives us yet another opportunity to appreciate the diverse character of the American population. We

are made up of diverse people who have come from various struggles, seeking freedom in America. We need to reflect, I think, back on those struggles. Whether they be in Ireland, or in Bosnia, or in the Caribbean, or in Africa. The same kind of principles that we struggle for there are principles that we need to struggle for here and encourage greater appreciation of cultural diversity and tolerance and inclusion of world wide, country wide and in the City of Pittsburgh.

So I am pleased to be able to add my name in support of this Charter For Change.

Mr. Ferlo:

Mr. President, my colleagues, Mr. Diven, and to the guests, I want to also lend my small voice for Charter For Change. I think it is very important that we have a window of opportunity. I know this week we are focusing more on the ethnic and the religious and the entertainment contributions of the Irish American community, but I don't think we can miss. We cannot afford to miss the tremendous political struggle and the struggle for justice and dignity that exists in our midst with the friends and the people of Ireland.

We have an opportunity, I think, as Councilman Cohen stated with the election of Prime Minister Blair and to really move and make present a renewed commitment for the demands that are expressed in the Charter For Change.

This Council long ago at the request of Councilman at that time or a good friend, Councilman Coyne now our Prothonotary had to ask Council to commit to the McBride principles. We did that as well as our investment and pension funds portfolio which actually still remains to this day. I think it's important that we act now. The window of opportunity is now for progressive change. But if there is going to be change it has to be a political settlement that recognizes the economic justice issues that Councilman Udin alluded to.

I think having the Charter For Change spells out more specifically more so than even the McBride principles what kind of political settlement must be worked out in the coming months. I am hopeful and I am very pleased and I think it is important that local municipal bodies express concern. If we are going to effect change nationally, it is not going to just be with a handshake of Bill Clinton. It has got to come from the grassroots level. I think it is very appropriate that we act now this week to support this change. Thank you.

The Chair:

As President of Council, an Irish American, I want to thank everyone, especially Councilman Diven, for leading the charge on this charter. It unifies us and as you said, almost everything starts at the grassroots. This is a great coming together of all of us. Thank you all for your support and thank you all for coming down. Have a great Saint Patrick's Day.

Mr. Ferlo:

I would like all the Credit Union Representatives to come forward. Before I introduce all of our guests, I want to move along quickly, because we have other guests here in the audience. On behalf of all of our colleagues, I would like to move the following resolution.

MR. FERLO PRESENTS:

No. 228 WHEREAS, almost every economic community, religious congregation, labor union and fraternal society has traditionally had access to Federal credit unions; and

WHEREAS, on February 25, 1998, the United States Supreme Court issued a decision limiting membership rights of average citizens in Federal credit unions; and

WHEREAS, Federal credit unions have historically offered superior personal services, socially responsible lending policies and lower rates; and

WHEREAS, the average credit union member saves between $200 to $500 annually in banking fees; and

WHEREAS, bank mergers and acquisitions have resulted in reduced personal services, closing of branches, loss of jobs and redlining of neighborhoods; and

WHEREAS, Federal credit unions comprise only seven percent of the financial industry; and

WHEREAS, H.R. 1151 would encourage competition in the financial industry; and

WHEREAS, H.R. 1151 would restore access to credit unions by average citizens; now

BE IT RESOLVED, by the Council of the City of Pittsburgh, that we implore the United States House of Representatives and the United States Senate to pass H.R. 1151;

BE IT FURTHER RESOLVED, that engrossed copies of this resolution be transmitted to the Speaker of the United States House of Representatives and the President of the United States Senate as evidence of the sincere sentiments of this legislative body.

MR. ONORATO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We will present this. We have a number of guests here from out of town today from the Credit Union Organization, the Advocacy Group that really works and promotes the existence of credit unions. We have Cookie Yoder here today, she is from the Pennsylvania State Credit Union League, she is the Executive Director. We also have Ron Lasich, Director, Ron Schueler a Consultant for the Credit Union League. I think you know Charlie Murphy from the City Hall Employees Federal Credit Union, who is the Director, and all the staff that is here today and nice enough to come down to the 5th floor from the great 9th floor.

No one knows more about this credit union than I do. Because if it wasn't for the City Credit Union, I wouldn't be driving my car, I wouldn't have fixed my furnace that beat the Equitable Gas rates a little bit, and my roof would still be leaking. I am proud to have a new roof three years ago. That's just an example, and I encourage all City employees, retirees, colleagues, some of you are still not members, to join the credit union.

Unlike me you don't have to borrow all the time, you can actually save. They

will give you a good interest rate. I know most of you don't need to borrow money like I do, you can save it. I would ask that you join the credit union.

But the issue today is very important because the Supreme Court and we don't have to get into a lengthy debate about it, interpreted an issue pretty much siding with the banking interests of this country. Fortunately, with the great democracy that we have, we have a system of checks and balances and the US Congress can remedy this by clarifying the statues chartering Federal Credit Unions. We need to do that. They need to survive.

I would hope that they actually grow and compete more with the banking industry especially with the ATM charges and a lot of other things.

I know years ago, as soon as I saw the tellers start leaving the windows at the banks and the ATM machines it was only a matter of a few years before we would be held hostage financially to that institution. We have seen that happen.

A way to take back the consumer fight because it is harder to change the attitude and the policies of the banking industry, is to put your money where your mouth is. Support your own credit union if you have the luxury and the ability and opportunity to do that.

I am very proud to introduce this resolution. We will lobby and help in any way we can. Before I bring Charlie up here, maybe we have some comments from the State Representatives here today can maybe give us a little update today on the struggle around the House bill fight. Thank you.

Ms. Yoder:

That is a pretty hard show to follow there. You pretty much said it all. Credit unions believe in their hearts. We know this is a consumer choice, this is not a party issue it's what is right for consumers to have the right to choose. That's all we are really asking here. We are very proud of the fact for 13-years in a row the consumers have chosen credit unions as their choice for a financial institution because of the services that they receive. The higher dividends, the lower cost loans, and the minimal fees that we charge.

We are very proud of the fact that there are over 90 credit unions located here in the greater Pittsburgh area. It is just overwhelming that the Pittsburgh City Council would take this stand. I personally live in the City and I am very very pleased and appreciate this very much. Again thank you.

Mr. Murphy:

On behalf of Pittsburgh City Hall Federal Credit Union, the Board of Directors and the staff, I would like to thank City Council for their support. It is very important that we send a strong message to Congress to amend the Credit Union Act and allow all individuals to have access to credit unions. Credit unions help people and that's what we are all about. We just want to make sure that individuals can belong to credit unions and can receive our help.

I would like to again thank City Council for your support and a special thanks to Councilman Ferlo for his support also to our credit union as being a long time credit union member and a supporter. So thank you very much.

Mr. Onorato:

I would like to add my strong support to the resolution. I too -- first I will start by thanking you, Mr. Ferlo, because the more he borrows the better our investments are, because he pays those interests rates. That's why we keep him here, as long as he has a paycheck, he can pay back his loans.

The other point I want to point out is I have had this problem just recently in the last month on the North Side with major institutions leaving small commercial strips. The only individuals that I can even get to listen to me to fill this void have been Savings and Loan Banks in the smaller -- on the North Side in my area. I would love to have the option to go to a Federal Credit Union, a State Credit Union for competition.

If anyone really believes in the American Free Capitalistic System, they should be behind this resolution 100%. Because if one thing we learned in this country, let the people choose and let the free market decide what will happen.

I would hate to see someone in the competitive market place be legislative out of competition. If they can beat you head to head, so be it. But I don't want to see anyone win because they have more clout in Washington DC, and can hire more expensive lobbyist. What is really disturbing about all of this is that if you look at all the deposits nationally, you are a very small percentage. They want to stomp that out and that is disturbing to me.

It would be different if you were even threatening them; you are not even a threat to them when it comes to the over all deposits in this country. You're filling a valuable void that they want to give up on. That's their business choice. If they want to leave fine, but don't legislate a piece of the market that is serving a segment that we all represent.

I hope that the Congress is listening. I hope that our delegation particularly is listening because you do serve a very valuable service to a lot of our neighborhoods that the big banks that are fighting this are trying to get out. Thank you.

Ms. McDonald:

I also want to give support for this resolution before Congress. Like Councilman Ferlo, I am indebted big time. I don't care. It is great and I will say to the listening public, credit unions are wonderful. If you do have to borrow money because banks can be very intimidating, even to me as arrogant and cocky as I am. I am afraid that they will say no. But a credit union is a much friendlier atmosphere. You get to know the people at the credit union and there is a better shot that you will be treated in a friendly manner and allowed to at least get some type of loan or to be able to save at a decent rate of return.

My chief of staff wanted me to tell you she loves you all. She said you are all her favorite friends.

So again, I applaud Councilman Ferlo's effort. I also want to say as an adage that in my community there has been a lot of effort undertaken to try to set up some type of credit union among some of the churches that are predominantly African American in attendance. So I would hope that this legislation invigorates their efforts as well to get credit unions in all of our neighborhoods.

The Chair:

Thank you.

Mr. Ferlo:

Representatives from the Camp Fire Organization come forward please. Thank you for your patience today. We have representatives here from the Camp Fires Boys and Girls Organization. Danielle Bauer who is the Executive Director, Alexandra Shea Johns, right here in the middle, and she is kind of bashful, and Jill Karichko is here, staff person. Her mom is here too but she is bashful. She has got the sweatshirt on and she is staying in the audience.

I am going to let you hold this. I would like to move the following resolution on behalf of this great organization.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 229 WHEREAS, Camp Fire Boys and Girls, the national organization, will sponsor Absolutely Incredible Kids Day on March 19, 1998; and

WHEREAS, Camp Fire Boys and Girls has issued a call to action, asking every adult in America to write a letter to a child or children on March 19, 1998; and

WHEREAS, the Greater Pittsburgh Camp Fire Council in Pittsburgh, Pennsylvania teaches boys and girls self-reliance, good citizenship and leadership; and

WHEREAS, through providing interesting and innovating youth programs and by successfully serving as an advocate for youth and their families, Camp Fire Boys and Girls helps the young cope with an environments which may at times be challenging, but always evolving; and

WHEREAS, Camp Fire activities are all-inclusive, open to children of both genders, all races, religions and creeds; and

WHEREAS, Camp Fire Boys and Girls is commended and congratulated for the plethora of worthy programs it makes available to the young of the City of Pittsburgh and throughout the nation, and for the many services these young people perform for their communities through Camp Fire;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of those who help to make the Camp Fire Boys and Girls organization the success it is; and

BE IT FURTHER RESOLVED, that the Council declares March 19, 1998 to be Absolutely Incredible Kid Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I want to thank all of my colleagues for joining and co-sponsoring this. I know everyone of us in our respective districts has some incredibly great kids. We have one of the absolute incredibly great kids is here and she is bashful. So we are not getting to get her up to speak here today.

But I wrote my letter and I wanted to give Alexandra the letter. Since West Penn Hospital was nice to give us one of those expensive pens, we will give it to her so she can write some other letters. We want you to have the flag of our City of Pittsburgh and the flag of our nation. So, let's steal President O'Connor's thunder. We want to thank Alexandra for coming down here today.

This is obviously a great activity as you can see, and we even got her to smile a little bit. She is less nervous, but I wanted to ask some of the representatives here to maybe say a few words.

Ms. Bauer:

On behalf of all the Campfire boys and girls and all boys and girls of our community, we want to thank Councilman Ferlo and all members of City Council for their support of Campfire and all youth programs in the City of Pittsburgh.

I know you have been very supportive of all of us trying to do this work because you know how important it is. We at Campfire, and I know you will agree, all believe that all children are unique and have special qualities, but they won't know that unless we tell them. So this is why we have come up with Absolute and Incredible Kid Day. We are going to do this the third Thursday of every March. So we hope you will certainly do it this year and every year afterwards. We do know that you know incredible kids. But please write a letter to them and tell them just how great you think they are. Thank you.

Mr. Ferlo:

I did want to thank all the folks; you want to say a few words? I do want to let my colleagues know the folks here from Campfire were nice enough to let you have a pen and a piece of letterhead and a return envelope, which you could send out to some absolute incredible kid that you know. I am sure that you know a bunch of them including your own. I want to take a picture and we want to thank Council for your support here today.

The Chair:

Members of the Chatham College Women's Hockey Team please come up. We have the President of Chatham, Esther Barazzone, we have the Athletic Director, Noreen O'Malley, we have the Chairman of the Board of Trustees, Mr. Falk. It is an honor to have you all here and this is co-sponsored by myself, Mr. Cohen and all members of Council. I will read the proclamation.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENTS:

No. 230 WHEREAS, Chatham College, one of the oldest women's colleges in the United States, founded in 1869 in the City of Pittsburgh, fields the premier varsity women's hockey team in the Commonwealth of Pennsylvania, called the Chatham Cougars, which is currently comprised of 20 women from nine different states across the country, and,

WHEREAS, the Chatham Cougars debuted in the 1996-1997 academic year as a club-level sport, were elevated to the level of a varsity sport in the 1997-1998 academic year, are now one of only 28 women's varsity hockey teams across the nation, and also hold membership in the National

Collegiate Athletic Association Division III, and,

WHEREAS, Chatham College is among the leaders in the United States encouraging young women to participate in varsity ice hockey programs and thus inspiring them to attain new levels of excellence in hockey. Such spirit was exemplified by the United States' Womens' Olympic Hockey Team which - during the 1998 Winter Olympics in Nagano, Japan - won the first gold medal ever awarded in the sport of women's ice hockey, and,

WHEREAS, Chatham College's athletic programs have grown tremendously since 1994 and over one-third of its undergraduate students are participating in various athletic programs,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank Chatham College for its contribution to the growth and development of young women in the Pittsburgh area and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 17, 1998 "Chatham Cougars Women's Ice Hockey Team Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Ms. Barazzone:

Thank you very much, President O'Connor, Councilman Cohen and members of Council. We are very happy to be here representing Chatham College and thank you for this recognition. I would like to add introductions before the team and the players who are up here and others members of the college introduce themselves. Our Vice President for Student Development Lou Ann Caliguiri, a very familiar name in Pittsburgh, she was quite instrumental in starting the team. I would like to also recognize Ebony McKinney who is an intern for Councilman Sala Udin. We are very proud to have you down here to. Thank you very much.

Now I would like to ask Noreen O'Malley who is our Athletic Director who really was the organizer who started this team to say hello. Then we will have the team introduce themselves.

Ms. O'Malley:

Thank you. On behalf of all the student athletes particularly members of the ice hockey team, I would like to offer our thanks to the members of Council and the other people who are here today. It is just another example of an opportunity that Chatham has taken to provide women opportunities that they may not have at other places. We are real glad that we are able to do that. Again, thank you for your support. The players will introduce themselves:

Heather Blumenschein, Holly Brink, Michelle Bruno, katie Chartier, Crystal Gemuenden, Lisa Hinkelman, Kristi Hodan, Jane Iksic, Shannon Nelson, Stacy Pacuska, Jenny Ray, Sue Reese, Charlotte Reynolds, Stacy Szczukowski, Julie Tange, Kristen Waszkiewicz, and unable to attend Maegan Paradise.

Ms. Barazzone:

There is our team. Let us also introduce Sigo Falk our Chairman of the Board who is here. You have met Noreen O'Malley our Acting Head Coach, Rick Kalinowski, and our Trainer Donna Dugas. Thank you very much.

We are very proud of this team as you can see. They have come from all over the United States and as well as from Pittsburgh both to take part in the wonderful academic program that Chatham College has and also to play women's ice hockey. We are very happy that the women's team did so well in the Olympics. We were a team at the beginning of the year, we had faith.

I think you might be proud to know as the first varsity team in the state, that we are also State and Conference Champions. We have beaten the Penn State Club Team and we have beaten the University of Pennsylvania Club Team. So this is a traffic team.

We are very happy to be here in Pittsburgh. We are very proud that Pittsburgh has the first women's ice hockey team in the state. We look forward to making you proud of us as your team. We very much plan to be a winning team. We thank you for your recognition of this in our first year, and for your recognition of our efforts.

Now the team has our version of the terrible towel that we would like to give to members of Council, and ask you to cheer us on. We hope you come to a game sometime next year when we next play. We thank you for celebrating women's sports, women's ice hockey and Chatham College's role in it.

Mr. Cohen:

I am a little bit concerned if you give pucks to members of Council, the next thing that is going to happen is body checks. The debate gets pretty spirited here; we don't want to make it any worse.

I just want to express my sincere wishes for the Chatham College Hockey Team. I am very fortunate to represent the district on City Council that Chatham College resides. I think what we have seen this morning is just evidence of how Chatham College is on the move. Through the leadership of Esther Barazzone, Chatham College is really moving ahead in terms of mind, in terms of body, and in terms of spirit.

I am sure that all of them really are taking a place here in the Chatham College hockey team. As State Champions, I wish you the best of luck in your future and just keep on doing your best. Congratulations. Thank you.

MR. O'CONNOR PRESENTS:

No. 231 WHEREAS, John Cigna is a morning radio personality on KDKA AM 1020's Morning News in the City of Pittsburgh from 5:00 to 9:00 a.m. who joined the station in 1973 as an overnight talk show host, took the helm of the morning show ten years later in 1983, and is now celebrating 25 years with the station,

WHEREAS, John, a graduate of the Brooklyn College and Cambridge School of Broadcasting, delivers informative interviews, intriguing trivia challenges and fun features to get Pittsburghers up and going weekday mornings,

WHEREAS, John is joined each day on his show by Bob Kopler and Barbara

Boylan with news and breaking stories every 15 minutes, Goose Goslin with the latest sports report at 20 and 50 minutes after the hour, and West Penn AAA's Rita Maloney in the Traffic Tower and AccuWeather ten times an hour,

WHEREAS, John, a Brooklyn, New York, native and fully naturalized Pittsburgher, is married to his lovely wife, Pat, and has four children: Tony, John, Mike, and Chris,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize John Cigna for his long and illustrative broadcast career that have indeed made Pittsburgh "someplace special," and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, March 11, 1998 "John Cigna Day" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before we actually start doing official business, I would like to recognize in the audience behind us that we have a group from the Sarah Heinz House on the North Side. Charlie Shmore is the Director of the Leadership Development. They are part of the lead team; they are here observing City Government.

I want them to know that we do do things other than proclamations, that is coming up next. If they can stand up in the back, I would like to welcome them to chambers today.

The Chair:

Thank you all for coming down. Moving to presentation of papers.

MR. DIVEN PRESENTED:

No. 232 Resolution authorizing the transfer of the aggregate amount of Fifteen Thousand Seven Hundred Thirty Five Dollars ($15,735) within various accounts in the Bureau of Emergency Medical Services

No. 233 Resolution authorizing the transfer of the aggregate amount of One Hundred Ten Thousand Dollars ($110,000) within various accounts in the Bureau of Emergency Medical Services.

No. 234 Resolution authorizing the transfer of Six Thousand Nine Hundred Seventy Dollars ($6,970.00) from within the Bureau of Emergency Medical Services, from Fund 2464, Org. No. 220000, Account 581140, Subclass 600, Budget Year 1998 to Org. No. 220000, Account 525500, Fund 1000, Subclass 150, Budget Year 1998, Bureau of Emergency Medical Services.

No. 235 Resolution authorizing the transfer of Five Thousand Six Hundred Twenty Three Dollars ($5,623.00) from within the Bureau of Emergency Medical Services from Fund 2464, Org. No. 220000, Account 581140, Subclass 600, Budget Year 1998 to Org. No. 220000, Account 542700, Fund 1000, Subclass 120, Budget Year 1998, Bureau of Emergency Medical Services.

No. 236 Resolution authorizing the transfer of One Hundred Sixteen Thousand Dollars ($116,000) from Police Premium Pay to the Problem-Solving Partnership Trust Fund.) from Police Premium Pay Code Account 1443-4, Fund 1000, Subclass 020, Org. No. 230000, Account 516000, Budget Year 1998 to the Problem-Solving Partnership Trust Fund, Fund 2465, Subclass 600, Org. No. 230000, Account 581120, Budget Year 1998.

No. 237 Resolution requesting permission to periodically transfer funds from Emergency Medical Services Reimbursed Events Trust Fund (EMSRETF) to Emergency Medical Services Trust Fund (EMSTF) for salary and premium pay for EMS paramedics, crew chiefs and supervisors.

Which were read and referred to the Committee on Finance and Budget.

No.238 Resolution providing for an Agreement or Agreements with a consultant or consultants for professional services to implement the Problem-Solving Partnership Program, not to exceed $116,000.00.

No. 239 Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a vehicle and related accessories Operations Center and providing for the payment thereof cost not to exceed $25,000.00.

No. 240 Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase and installation of a Fire Arms Training Simulator (FATS) and related accessories, for the Bureau of Police, and providing for the payment thereof. cost not exceed One Hundred Ten Thousand Dollars ($110,000) chargeable to and payable from LLEBG Trust Fund, Fund 2445, Org. No. 230000, Subclass 600, Account 542700, Budget Year 1998, Bureau of Police.

No. 241 Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase and installation of a computerized police driving simulator for the Bureau of Police, and providing for the payment thereof. Cost not to exceed $165,000.00.

No. 242 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Problem-Solving Partnership trust fund (PSPTF), for the deposit of grant monies received by the United States Department of justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Bureau of Police to cover any and all Eligible expenses.

Which was referred to the Committee on Public Safety Services

MR. RICCIARDI PRESENTED:

No. 243 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $6,000,000.00 for the LTV Site (Council District 3 (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 244 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of

Pittsburgh ("URA") designating URA as the City's agent for property acquisition in the Nine Mile Run development. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

No. 245 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $2,100,000 for Infrastructure Support for Housing (Council Districts: All) (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 246 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 247 Resolution appointing Mr. John H. Bingler, Jr. to serve as a member of the Citizen Police Review Board to fill the unexpired term of Robert Kroner, for a term to expire October 31, 1999.

Which was read and held pending an interview.

The Chair:

What is the pleasure of the body? You want to interview him? We will interview him at his nearest convenience.

Mr. Hertzberg:

Comments, I think Mr. Bingler is a highly qualified individual for this position, but I just question the process of the appointment and whether it is in compliance with the ordinance that created this Review Board? It is my understanding that the position to be filled was one of the positions that would come from Council's list of nominees. I don't believe this individual was on that list.

The Chair:

Did anyone nominate Mr. Bingler from Council?

Mr. Ferlo:

I don't have the ordinance in front of me, but I think there maybe some inconsistencies that the Mayor originally nominated and then agreed to appoint a greater number than the ordinance called for in terms of the Mayor's appointment from the poll of Council members.

Meaning that the initial poll was larger than what the ordinance, I think, legally called for. So I think the presumption on the Mayor's part was that -- I don't think there is any question about Mr. Bingler's qualifications or competency to serve on the review board. I was very impressed that the Mayor selected him. To me he would be a wonderful addition to the review board, personally. But I think we should could get a clarification maybe from the Solicitor on the appointment process.

I think there still remains the

majority appointments of the board coming from the Council poll and in excess of that there was not a direct replacement of Mr. Kroner coming from the Council poll as I originally thought, rather the Mayor chose to appoint elsewhere. We need a clarification from the Solicitor.

The Chair:

Yes, was not Mr. Kroner one of the police officers -- do you need to replace him with one or not?

Mr. Ferlo:

No, I don't think that was the issue. The issue was that at any given time a certain number on the review board would come from a poll of nine applicants forwarded to the Mayor by this Council. Which in effect, we did. At least I tried to do during November and December when unfortunately Mr. Kroner was not able to serve any more.

I think we presumed that he would have appointed somebody from the poll. I guess that presumption was wrong and he chose to appoint elsewhere out of the poll of Council nominees. I think it is probably still within the constraints of the ordinance as written. But we should have that resolved as Councilman Hertzberg requested.

Mr. Cohen:

Councilman Hertzberg certainly raises a point that I think we should look at. My recollection is that the legislation that we passed said originally that four members would come from -- would be selected by the Mayor from a list provided by City Council, three members would then be directly selected by the Mayor. If you recall what the Mayor did was directly selected two instead of three and took five from Council's list of nine instead of four.

My guess is what the Mayor is saying is that because he took an extra one, this one really falls in a Mayor selected slot as opposed to a Council selected slot.

We should hear from the Solicitor on this, but I think that's the position in the Mayor's office.

Mr. Udin:

First of all, I would certainly be willing to support the nomination of Mr. Bingler. If he weren't nominated by Council, I would be glad to nominate him myself. But the legislation is clear in its language about how replacements are made. How the initial appointments are made is irrelevant to the question of how replacements are done.

The legislation clearly indicates that replacements made from Council are replaced by Council nominees. Replacements from the Mayor's list are at the discretion of the Mayor, so the issue is not how the initial nominations were made but how the legislation requires that replacements are made.

If it is necessary to nominate Mr. Bingler as a Council nomination, I would be glad to do that. But I think it is important that we protect the integrity of the legislation.

Mr. Onorato:

I think that the way I read the legislation that Councilman Cohen is on and off by de facto. What is happening here is

the mistake that we all made when the Mayor appointed the seven members; we should have had the Mayor's office specifically say which four he's taking from our list and which three are at large. If somebody at large happens to be on our list, they still can be an at large nominee.

Now de facto, what he is saying is the four that are left over from Council, anyone of those four names would ever leave have to come from us. Because now we know specifically which ones he is saying are from Council. It is the ones that did include Mr. Kroner. Now we know, but in the future I think what should be specifically spelled out when a name comes over, this is an at large pick or this is a Council list pick so we always know what the four and three are.

I think if you looked at the law, he's on the right side. He's going to win out on this argument because there are four that we selected that are on there. Now we know which four they are. That's the way I read it.

The Chair:

But I think Mr. Udin brings up a good point not only for now but for the future who are going to be the replacements. Not questioning Mr. Bingler is an outstanding candidate; maybe he would have to be nominated from one of us.

So I would ask the sponsors of the bill to work with the Law Department to make clear -- we are clear on not only his but future nominations.

Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Ferlo:

I know there were bills introduced today that are beginning to implement the Capital Budget. I want to make sure prior to the arrival of the bills at the table on Wednesday in addition to the respective committee chair that our Budget Office reviews the amounts. I want to understand whether or not they're either in conflict or in agreement with what Council hammered out in terms of the CDBG Block Grant allocation as well as the Capital Bond Fund.

I noticed there were two bills up today. I would ask that our Budget Office let Council know especially through Mr. Udin's Committee also what is consistent or inconsistent. That issue came up recently with the Phillips Park issue and I don't think we should resolve that at the table. It would be nice if we could know it ahead of time.

Secondly, it is approaching the third week in March and if we could get a commitment or an understanding from the administration of when they would be forwarding to Council the resolutions involving the grants and donations of various neighborhood groups that Council has agreed to fund this year? I would like to know, usually it comes over in late February, I would like to ask someone to check on that, Councilman Udin.

The Chair:

I would ask Mr. Udin, the Finance Chair, and Mr. Salac from our offices to have an answer before it comes to the table next Wednesday.

Mr. Udin:

If I may, perhaps we will have an

opportunity to discuss this issue further regarding how the administration is electing to execute contracts for Capital Fund expenditures. Obviously Council has the charter authority to appropriate funds for certain categories or line items in the budget. But it is the Mayor's authority to execute those funds.

One of the things that is happening is that Council made it a very clear policy decision about increasing the amount of resources that would be available for certain neighborhood clean up activities. It may have been at odds with the policy perspective of the administration. So in a way, to apparently defeat Council's intention to appropriate more than the administration wanted to appropriate, the administration is spending less apparently; at least according to the appearances of the bill that we will be reviewing today, than Council had indicated.

We may need to recommit this bill in order to have a full discussion with the administration on whether or not this is just the first stage or are they intentionally spending less than Council appropriated.

Mr. Ferlo:

Again I want to expound on what Councilman Udin just expanded on because I think already we committed an inconsistency. I think in the demolition contract for Building Inspection, Councilman Onorato pointed this out. We should have amended that bill to be consistent with the increased figure that we wanted the administration to be committed to spending for demolition of buildings. I believe last week we approved a bill that was maybe a couple $100,000 less.

I actually asked Mr. Onorato to consider pulling that bill again and amending it again to be consistent with the Capital Block Grant Budget allocations that Council approved for 1998. But I would find it a lot easier just to have Councilman Udin, because I know he is always on top of this stuff, if he could work with the Budget Office to give us some guidance when there is these inconsistencies. So we can argue it out come the Wednesday sessions with the Committee Directors and the Department Directors and the Budget Office.

I can see with the two bills today on Nine-Mile Run and LTV, and we have already taken action on the demolition amount. I am not sure what is going on with grants and donations and the like. I think we need to be consistent in whatever we end up doing.

The Chair:

We will urge them to have these bills in front of us too next Wednesday so we have time to clarify those.

Mr. Udin:

We will have the comparison available at that time.

The Chair:

Moving to Reports of Committee.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 248:

Report of the Committee of Finance and Budget for March 11, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 161:

Resolution authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Economic Development Marketing fund, dedicated to attracting jobs and businesses to the City of Pittsburgh, total cost not to exceed $75,000, chargeable to and payable from Account 526100, Fund 1000, Organization 999222, Sub Class 300, Budget Year 1998.

Which was read.

Also,

Bill No. 179:

Resolution providing for the issuance of a warrant in favor of Mackin Engineering in the amount of $4,556.75 in payment of design of remedial repairs to the West Ohio Street Bridge; and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 190:

Resolution authorizing the issuance of a warrant in favor of Maguire Hilbish Associates in the amount of Four Thousand Four Hundred and Twenty Five Dollars ($4,425.00) in payment for lighting design services for the Point State Park fountain and providing for payment thereof.

Which was read.

Also,

Bill No. 194:

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's Workers' Compensation Program, cost not to exceed $4,389,829.00.

Which was read.

Also,

Bill No. 195:

Resolution providing for an Agreement or Agreements with Veterans Place of Washington Boulevard and/or Lawyers Title Insurance Corporation for the sale of the City's interest in certain property located in the 12th Ward of the City of Pittsburgh, known as 921 thru 977 Washington Boulevard, following the City's acquisition of title as the result of a Treasurer's Sale, and also providing for the creation of an Escrow Account into which Veterans Place of Washington Boulevard shall deposit the sum of $190,000.00, $60,000.00 of which shall be paid to the City as a purchase price.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Ms. McDonald:

Yes. Thank you, President O'Connor. On Bill 195, colleagues, you

have received a notice that was listed as urgent from Paul Hennigan, Director, on March 11. I just passed out today some correspondence that I received from Rich Fees in the Department of Finance concerning our amendment that was made last week.

I would urge my colleagues, I am going to make a motion to un-amend or amend the current legislation as it reads as amended today to bring the price back up to $60,000. Reasons being, that there is going to be a lot of controversy involved in conveying property of this magnitude. You're talking a number of homes for $1 when indeed, non-profits as well as Community Development Corporations have worked out a policy through PCRG to acquire homes basically at cost, not at a financial detriment to the City of Pittsburgh.

So again, I think I had stated last week and I would like to bring my comments forward that there is excellent intention here. I support the veterans; I support their initiatives insuring that we don't turn our backs on people who have risked their lives for us, for this nation. But at the same time we have to be -- we cannot be exclusive of other groups such as the poor, even modest income people who also would like to acquire homes that CDC's would develop, that they deserve the same type of courtesy that we want to work with them.

So in all fairness, we really should convey this property for the initial price of 60,000. Veteran's place has no problem with that what so ever. They assumed that that is what the price would be. We are taking a hit of about $200,000 to absorb a lot of the processing fees, the liens and etceteras.

Again, I think this would set a precedent. I think your phones will be ringing off the hook with community groups that will say what about us. We have some property that we would like to have for a dollar and we want the City of Pittsburgh to take a financial loss for processing that.

You're going to have your phones ringing of the hooks if we don't follow the policy that all community groups, etceteras, have set as indicated in our correspondence.

So again I would like to make a motion to amend Bill 195 for it to read the acquisition for $60,000 instead of $1.

(See Addendum)

MR. RICCIARDI seconded the motion.

The Chair:

Discussion on the motion?

Mr. Ferlo:

I believe the motion is out of line, unless we first suspend the rules to allow the amendment to be made at Tuesday's session, it is not in writing.

Mr. Hertzberg:

Point of order. I would say that that is in writing. It was on the previous bill and it is a reinstatement, it is there. It's crossed out.

Mr. Ferlo:

The Council rules are clear. Any amendment on Tuesday must be in writing. We can suspend the rules.

Ms. McDonald:

Then I will make a motion to recommit the whole thing for tomorrow. We can discuss it again.

The Chair:

I don't think we want to delay it. We can -- Can I have a motion to suspend the rules?

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

The Chair:

Okay let's have discussion on the amendment.

Mr. Onorato:

Discussion on the amendment.

Mr. Ricciardi:

Vote on suspension.

The Chair:

All those in favor?

(Mr. Ferlo voted no)

Which motion prevailed.

Mr. Onorato:

On the proposed amendment, we didn't vote on the amendment yet, just on the procedure, correct?

The Chair:

We are discussing the amendment.

Mr. Ferlo:

We have two amendments -- amendment to remove the language or motion to recommit. What is the amendment for?

Ms. McDonald:

I will remove my motion to recommit and hear discussion on the amendment.

The Chair:

Right now the discussion is on removing the amendment from last Wednesday.

Mr. Onorato:

On the amendment and I obviously respect what the Councilwoman is trying to do, respectfully I am going to have to vote no on the amendment only because -- for a lot of reasons.

One, I do want to tell the Director of Finance or the new Budget Director, the letter that he sent was urgent -- If anything, it caused me to lose my support for his argument. I want to go to the third paragraph, Council's disregard for these polices and desire to arbitrarily decide a sale price, establishes a very bad precedent and shows a complete lack of respect to our employees who have worked diligently systematic means for what the appropriate selling price is.

First of all, I don't think anyone here

disrespects the employees and just because this Council decides to set a policy by majority vote, doesn't mean we don't appreciate all the work that goes into the systems.

Now, I don't think that there is -- also, that it is arbitrarily that we don't want to follow the rules. We made a decision and we know what the rules are. It was very clear last week that the majority of Council wanted to make a statement to a veteran's group that is going to provide a very needed service. I think we also saw a little bit of a back lash, for all of the development plans that have been going on, and the hundreds of millions of dollars that we have been spending that we are basically saying here. We are cutting through a three-step process and doing a direct process saying -- we are giving a $60,000 direct grant to a veteran's group.

Now fine, in this letter it contradicts itself. It says if you do it for $1 you can be assured that there is going to be objectives. Then it goes on and says in the letter; the $60,000 doesn't even come close to the fair market value. If it's a negotiated sale and you are selling for below, way below market value. I don't care if it is $60,000 or $1, if you are going to have an objector, you're going to have an objector.

The point here is, do we want to help out as much as we can a group that is providing a service that we think is very valuable and $60,000 if we don't require them to pay us, it can go back into the facility. That's what I thought the discussion was. I will take the phone calls that come to my group. I work very closely with PCRG; I also work very closely with the North Side Development Corporation. If they have a problem with this, I will be more than happy to explain my vote and defend my vote, because this is something I support.

I don't think we should be asking for the $60,000 from this particular group right now. Because it could be just as easily to give them the grant, which I think is going to happen if this amendment passes of $60,000. It is taking it out of one pocket of the City and putting into the other pocket of the City. I am just trying to avoid that process and let's do what we want to do.

But to the employees of the City, I want to thank you for your hard work. I think that you saw a policy decision here that we like this activity, we want to support this activity. It is no different than when we do a TIF at Federal North or a TIF for ALCOA or a TIF for a project up in Oakland right now. What we are basically telling somebody, you don't have to pay us taxes for 26 years, put it on your debt service.

We are telling a small veteran's group you don't have to pay us $60,000 one time put it back into the project. Better yet, they are going to pay the increased real estate taxes immediately once it is completed. I support this plan, I think the $60,000 was a mistake. I think the letter is totally out of line.

Mr. Hennigan I like you, this letter was wrong. Sorry, you don't get my support. I hope Council rejects the amendment. Thank you.

Mr. Ferlo:

When I made the amendment last week after reviewing not only sense of urgency, but out of respect to the tremendous effort on behalf of the veteran's organization. If we want to talk about true

costs to the City of Pittsburgh, we have a large piece of property and a number of buildings that are in the state of condemnation that would cost directly out of pocket probably $100 to $200,000 to condemn and to demolish. This is a win, win, win for everybody involved.

Yes, it is somewhat of an anomaly in that we are departing from the traditional activity at the Council table where we are fed like mushrooms and we are supposed to just sit there and not think about issues. We thought about an issue. This is a tremendous opportunity to modernize and make new housing opportunities along the Washington Boulevard Corridor. It still is going to require a lot of hurdles. There is a lot of monies that have to be recruited from the Federal Government. The foundation community as well as the sweat equity of the veteran's groups involved in order to make this project come off be brought into fruition, but it is a great project and we should embrace it.

The only suggestion, I think was harmless. I was very offended by this letter from Director Hennigan. To suggest that our actions, after we have reviewed a policy and having a view of how best to support this worthy housing initiative, as well as the social needs that it meets, that because we departed it's a slap in the face of the employees. I resent this letter and my blood pressure went up greatly when I read this Hennigan letter. Now my blood pressure is not up today, but I will say the following.

First of all if we want to be concerned, I would have thought that maybe we should have looked at a directive sale by transferring this property to the URA to engage directly with the veteran's organization. That wasn't done that's fine. But whether the dollar figures there are 60 or 20 or whatever, it is still procedurally and the veteran's group knows this. Anybody anytime has a right to go into the Court of Common Pleas and challenge this regardless of the purchase price. That may be a reality we don't know that. We have to cross that bridge when it comes to it.

But again this thing about PCRG I respect PCRG. They represent a leadership group at the neighborhood level and they have done a lot of great work including in my district. I have a proud partner with them on a lot of different projects. As far as the CDC's that I represent, the most they are going to say is please give consideration to other housing projects in the neighborhood. Where there is a make or break deal, and we need to intervene, what about all the rhetoric the Murphy administration, their rhetoric is we need to help ALCOA Company build a new headquarters, because we want to keep them here. ALCOA could go anywhere in the world, which is true.

So what did we do? We embraced the Mayor's philosophy on that. We said it is important to keep ALCOA here. They need a TIF like they need a whole in the head. ALCOA -- we didn't even ask them to build a new plant here, they built it in Ohio instead of here. I think it is outrageous that we are not -- we are going to bicker because we are trying to help a veteran's group and people that served this country. I don't understand the logic of this Council sometimes.

I resent the Hennigan letter. I think what we did was very reasonable. It in no way undermines the commitment of this Council and the community development groups and the PCRG and anyone else. The realities are still present that someone could

intervene and compete for this property. Maybe at some point there should have been a directed sale consideration. But again, I would ask the Council not recommit that that we proceed with the sale. As far as the cost, they are basically opportunity costs. This is why we pay full time staff people in the Finance Department. They are paid the salary and in this case they won't be generating revenue back. But it is not revenue that we budgeted any ways.

I would ask Council to respectfully not recommit the bill and not support an amendment to un-table the $1 figure.

Mr. Hertzberg:

I support Councilwoman McDonald's motion to amend this bill. I abstained on the vote last week. I am very concerned for a number of reasons. Beginning with the fact that this organization that is acquiring the property has a for profit partner, in addition they have acquired $1.7 million in Section Eight funds to do this particular project with.

It's not as if the current or the proposed amendment doesn't have some City money going into this. I note that the City had to buy back the tax liens at a cost of $190,000 already. So at a $60,000 purchase price, we are still in the hole $130,000. I also would note that the ordinary custom of deference to a Council member in a project in there own district. Councilwoman McDonald obviously is supporting this amendment and possibly seeing the reasons why the price is what it was.

I just met with the Director of the West End Elliott joint project yesterday who is in the process of trying to acquire some dilapidated blighted properties in Elliott. I am sure he would like to try to keep the cost of that down too. He doesn't even have a for profit entity involved in that, he is just trying to do something for a neighborhood that's in a down turn. He would like this.

I am sure the Mount Washington Community Development Corporation would like to get everything they could for a dollar. But just to digress for a minute, I think this whole process is aside from this is PCRG's whole plan about the price to sell community groups delinquent properties is a very dangerous thing. We are treating these organizations differently than we treat any other individual. What about an individual who wants to buy a building? They don't even get this deal. They don't even get whatever the deal is that these community groups get, the individual just gets whatever the price is being whatever the fair market value is. We determine, that's what they have to pay.

Community groups get a better deal than them. I don't know what the logic or the legality of that is. Why don't we make the Side Yard Program also, why don't we reduce the cost of that a little bit, helps a few individuals.

I mean the whole thing, I don't think we should start meddling with this at all, Mr. President, and I support this amendment.

Mr. Onorato:

I just have to -- I just have to comment on some of Councilman Hertzberg's comments because where I differ -- First of all, the buy back, we received $16 million for selling these liens. We're giving their money back to get this back. We might be paying a little more to get some interests, but we do not give

$190,000 out of pocket. It is a swap back and forth.

The other issue for the for profit partner. What about ALCOA, Federal North, LTV? These are all for profit companies that are getting major tax breaks. Talk about individuals, name me one individual that got a TIF in this City, one individual. Because we do set policy based on the project. This project is serving veterans that are homeless. If an individual comes to me tomorrow saying I am taking care of 100 veterans I need a deal. I will cut the deal tomorrow. That is the difference. It is based on the projects.

Bring us the deal, we want to deal. The Mayor always says the City is open for business. They came with a deal, we liked it, we wanted to cut the deal. If you are just an individual, you want to do a deal, I think we would listen.

I don't want to listen, but right now, we do have a policy where we don't treat people the same way. We have programs in place that we have incentives. You bring us a good incentive; we are going to help you.

Mr. Ferlo:

Let's not be summer soldiers and sunshine patriots. Thank you.

Mr. Cohen:

I am sorry I had to be out of the room for a moment. I very much support the bill as it is written. That includes the amendment that Council made last Wednesday. So as not to charge $60,000 to this project, many of the reasons have already been stated. But I wanted to maybe put it in a little different perspective. That is the organizers of this veteran's place have received a tremendous amount of money because of their efforts from the Federal Government, from the Federal Home Loan Association, the Veterans Association. What they haven't gotten help from is the City. This is a very fine project.

If there are people who have not seen the current condition of those homes on Washington Boulevard in Councilwoman McDonald District, if you haven't seen the current condition of those homes, please go and look. Because they are in horrible condition, it's a terrible eye sore.

Mr. Singer and his colleagues have gone around and actually raised over $2 million to make this project happen. I think that to be able to give this property to them for a dollar is a tremendous public policy move on the City. We shouldn't be charging them for taking this eye sore away and building a project for veterans. It just doesn't make any sense.

So I support the bill to give them this property without charging them $60,000 for it.

Mr. Diven:

I am going to be voting for the bill as it is with the one dollar for the property. Out of respect to my colleagues, I would like to say that I think last week when we met in Standing Committee we determined that we were going to put people first. I think that is something we have to follow through with.

I think too any of the other community groups that would be interested in getting this kind of deal, if they can offer the same kind of programming that the veteran's home is going to offer our

community, we need to be encouraging that.

I think if we can bring more community groups to the table with new land use and making programs like the one that is going to be offered at this home to help veterans who are homeless make the transition back into the work place and back onto solid ground. I hope that that message goes out to other community groups that yes, we are going to support you in doing that.

I think it was a move that this Council should be commended for doing. I think that is our number one responsibility to try to take care of the people of the City of Pittsburgh especially the people who are most of that need. I am going to stand by this bill, as it stands.

The Chair:

I think everybody agrees. I will let you have the last word. This is a very exciting project and it is a win, win. By supporting the amendment as is, the only question I have is will it either hamper the project or slow it down? I think that is a concern I have. I think we are all in agreement including Ms. McDonald to give it to the veterans for a dollar. I don't think that's the issue. Is there any fear that this will slow the process down at all?

Ms. McDonald:

It is going to. I don't know what it is going to do to it. But I will be pointing a finger if anything bad happens, I can tell you that right now. I am going to be an unhappy camper because again and I am going to have the last word. Then I will let you all vote that up or down --

Mr. Ferlo:

She can have the last word, that is no problem. We should know the veteran's group did actually ask that this be transferred for a dollar originally as part of the discussions with the City.

Ms. McDonald:

But with all do respect, this is very well intention. I appreciate the passion from Councilman Ferlo, Councilman Onorato and the rest of my colleagues. I don't know what this is going to do with the project, but I am not serving on Council to just do things because its feels good, because it is politically correct, support our veterans. Heck I support my veterans; I support all the veterans. But I am not going to sit there and enact and vote for any legislation that in favoring one group the flip side of the coin, you know the reverse side also has a reverse side, that's a proverb. When you favor one group, you discriminate automatically against the other group. You discriminate.

Will you vote for a dollar transference of property to any group who wants to house veterans who have drug problems, veterans who just got out of jail? There are veterans sitting in our jails and yet we fight tooth and nail against people that are veterans who are incarcerated and trying to make a transition into society. You don't want them in your backyards, now do you? You don't want a building or a house that is going to house anybody who is making a transition into society from a state of incarceration, they're veterans too folks, they are veterans. But you are not going to do that are you?

So again, you all do what you want to do. This is not going to bother me one

way or another. I am still going to support this project. So they made $59,000. I don't know if it's going to hamper it, whether it is going to help it. I don't know. I guess we will see the fall out from that.

I want to say this. That this memorandum from Director Hennigan may have inflamed us, yea it went there. It called us basically making arbitrary decisions, in capricious. So what I would ask -- no I am not going to ask it, I would just make a statement. For me I put my emotions aside, my ego aside and looked at the content of what Director Hennigan was trying to say. Would it jeopardize it? Is it setting policy? Will we get a backlash? Is this discriminatory to do this and not do it for any other groups?

Do you know how many non-profit groups have wanted -- they would have loved for us to be able to transfer property for $1. Maybe the policy is totally flawed; maybe there is some inequity in the TIF's and the big boys getting all the money. I think we should separate that issue aside and look at this particular issue as is our current policy and not set one project that we could easily put into jeopardy to make arbitrary policy decisions because it's politically good.

It is politically good to support our public safety offices; it is politically good to support our veterans. But I warn you all the reverse side has a reverse side. In favoring one group you will discriminate against other groups. You are discriminating against people who are incarcerated, people with disabilities, who would have loved to serve our country had they not been allotted that problem in their lives. They are disabled; we haven't given them property for a $1.

You're discriminating against welfare moms, welfare dad's, you're discriminating against families. You're discriminating against ethnicity's. There is discrimination involved in what we are about to do. But I am not going to take the fall for that. If you all want to make that decision, I can count and I see that there are more than five votes. You all do what is politically feasible for you. I am going to do what I feel what I was elected to do is what is really right and maybe separate this issue out.

We can have another discussion about our policy and how we transfer properties. I would love to be able to give things for a dollar if that is feasible or not. But I want to have a process in place, something that is reasonable and feasible that's going to last. But I don't want to vote on something that is going to come back to slap us in the face, and it may.

I am hoping that it works out, but I do appreciate your passion and I appreciate your support of this project, in this council district in trying to make provisions to help the project along. I am just very cautious of the fall out of these intentions.

The Chair:

I believe those voting aye are voting aye to keep the bill as is on the amendment?

Mr. Udin:

Voting on the amendment?

The Chair:

Voting on the amendment to stay, so we will roll call that vote--

Mr. Ferlo:

The amendment was to delete the $1 and restore the bill that's what we are voting on.

The Chair:

So then a No vote gives it to the veterans for a dollar.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin

(Mr. Cohen, Mr. Diven, Mr. Ferlo, Mr. Onorato, Mr. O'Connor voted no on the amendment.)

The amendment fails.

The Chair:

So it stays as is and we are going back to -- we have a roll call vote on all the bills then.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine **NOES None**

All the bills having received the legally required number of bills are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 249:

Report of the Committee on Public Works, Water and Environmental Services for March 11, 1998, transmitting sundry of resolutions to Council.

Which were read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 191:

Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1998 and providing for the payment of the cost thereof which is not to exceed Two Hundred Thousand ($200,000.00) Dollars, chargeable to and payable from Account 527900, Index Code 167601, Fund 1000, Org. 431000, Sub-Class 150, Project N/A, Budget Year 1998, Vacant Lot Cleanup, Department of Public Works.

Which was read.

Also,

Bill No. 192:

Resolution amending Resolution No 747, effective December 2, 1997. This resolution is entitled "Providing for a contract or contracts, or the use of existing Contracts, for the purchase of equipment and materials for the graffiti removal program at

a cost not to exceed $299,073.46, so as to change funding source.

Which was read.

Also,

Bill No. 187:

Resolution providing for a Contract or Contracts or use of existing Contracts and/or an Agreement or Agreement, or use of existing Agreements, and for the purchase of materials, supplies and equipment in connection with the Wall, Step and Fence Program at various areas throughout the City, and providing for the payment of the cost thereof, not to exceed $909,000.00 chargeable to and payable from the following accounts:

Fund 5100, Org. 400000, Sub-Class PGHPR, Project/Grant 2220036, Budget Year 1998, Amount $15,000.

Fund 2610, Org. 400000, Sub-Class C1998, Project/Grant 2220036, Budget Year 1998, Amount $71,000.

Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2220036, Budget Year1998, Amount $349,200.

Fund 2610, Org. 301000, Sub-Class C1998, Project/Grant 2220036, Budget Year 1998, Amount $473,800.

Total: $909,000.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Onorato:

Thank you, Mr. President. Bill 191, this is the lot clean up bill for $200,000. Colleagues, I ran through the budget. What makes it so difficult for us is that we have $750,000 for lot clean up, but it is in three locations. This bill is moving the $200,000 from the General Fund; there is also the $250,000 in the URA of CDBG.

According to Councilman Hertzberg I understand that the URA moved on that last week for at least $240,000 for a total of $440,000 that was moved. That still leaves $310,000 that nothing happened on, that is CDBG dollars in a Public Works line item.

I don't know why that didn't come over, but this gets to the issue that Mr. Ferlo brought up earlier on. So I think maybe the best way to resolve this issue is I am going to make a motion to recommit this bill so we can discuss that issue tomorrow.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Discussion on any of the other bills? The bills are now ready for final action, if you are in favor of the passage of the bills will vote aye when your names are called. If opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven

Mr. Ferlo
Ms. McDonald
Mr. Ricciardi
Mr. Hertzberg
Mr. Onorato
Mr. Udin
Mr. O'Connor
(Pres't)

AYES Nine NOES None

The bills having received the legally required number of votes are passed finally.

MS. MCDONALD PRESENTED:

Bill No. 250:

Report of the Committee on Parks, Recreation and Youth Policy for March 11, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 205:

Resolution providing for a lease or leases for the use of certain City property located at Second and Johnston Avenues in the 15th Ward by the Hazelwood Neighborhood maintenance Task Force as a public park for the nominal sum of One Dollar ($1.00).

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? Bill is now ready for final action. All in favor of the passage of the bill vote aye when your names are called, if opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Ferlo
Ms. McDonald
Mr. Ricciardi
Mr. Diven
Mr. Hertzberg
Mr. Onorato
Mr. Udin
Mr. O'Connor
(Pres't)

AYES Nine NOES None

The bill having received the legally required number of votes, is passed finally.

MR. FERLO PRESENTED:

Bill No. 251.

Report of the committee on Engineering and Construction for March 11, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 180:

Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment of the costs thereof, cost not to exceed, $1,340,000.00.

Which was read.

Also,

Bill No. 181:

Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Swimming Pools and for the purchase of materials and equipment for said projects; and providing for the payment of the costs thereof. Cost not to exceed $299,000.00.

Which was read.

Also,

Bill No. 182:

Resolution providing for an Agreement or Agreements, or use of existing Agreements, and /or a Contract or Contracts, or use of existing Contracts in connection with the Bridge Inspection and Maintenance Program; and providing for the payment of the cost thereof. Cost not to exceed $255,000.00.

Which was read.

Also,

Bill No. 183:

Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Reconstruction or Rehabilitation of Neighborhood Streets throughout the City; and providing for the payment of the costs thereof. Cost not to exceed $921,500.00.

Which was read.

Also,

Bill No. 184:

Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Grant Street Maintenance Program; and providing for the payment of the cost thereof. Cost not to exceed $152,500.00.

Which was read.

Also,

Bill No. 185:

Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; and providing for the payment of the costs thereof. Cost not to exceed $830,000.00.

Which was read.

Also,

Bill No. 186:

Resolution providing for the filing of an application or application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, for a grant through the 1998 Rivers of Steel/Pennsylvania Heritage Parks Program in connection with Phase II of the Rehabilitation of South Side Riverfront Park Project for the development and production of industrial heritage interpretive signage at a landscaped interpretation area with a river overlook;

providing for the execution of a Grant contract and for the filing of requisitions and other data; approving the construction of the interpretation area; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ricciardi:

On behalf of the residents of the Hollow Neighborhood in the South Side Flats, we would like to personally thank Councilman Jim Ferlo and Director Reginella for moving Bill 183 through City Council.

Colleagues, an important component of this bill is the reopening of 30th Street in South Side. As many members know 30th Street was closed back in the 1950's in order to benefit the mills. The residents of that neighborhood were willing and supported to give up the street so the mills could flourish.

Obviously the mills have been closed and now the residents of the Hollow are asking for their access back into the neighborhood. Three previous administrations and many, many Council legislative bodies did not support this. There is a cost to this and it is going to be above the $250,000 mark.

I want to thank everyone and just say that when 30th Street does open, everyone in this legislative body will be invited. Thank you all for this commitment. Since 1990 I have been putting it into the so called wish list of the Capital Budget and it is continuously being supported by every member of this body and I want to thank you.

The Chair:

No further discussion? The bills are now ready for final action. All those in favor of the passage of the bills vote aye when their names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes, have been approved finally.

The Chair:

Now moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Onorato:

Let me just comment on -- every one of us got a call yesterday from Capital Asset letters that went out. We had a problem yesterday and representatives from Capital Assets have called us, are here this morning, and told us there was a mistake made and they are going to correct it, at least for part of it.

However, at the end of my discussion here, I am going to call for a Post Agenda because there are bigger questions that have to be answered both from the City and from the company. For example, what happened yesterday for people listening, anyone under a dollar -- I have one right here in my hand, this person owed 65 cents. I want to stress the word cents from 1988 and they ended up getting a bill for $37.69; $2 for interests, $37 for costs of proceeding and processing over where they filed the liens. The interest amount is the amount that goes to Capital Assets. The large amount is the processing fees of the county.

However, what we have been told by the company is that any bill that was under a dollar, the original bill under a dollar, they're going to be receiving a letter from the company saying it was mistake and that they do not owe any money. However, with that still leaves us with anyone over a dollar, even a $1.50 or $1.01 or whatever, is going to get a letter, and they are going to enforce it, I assume.

But the real question here is why did the City send over all of the liens that were below a dollar. There was supposed to be a policy in the City that anyone under a dollar does not get a letter. However, it went over there.

I think this goes to the bigger issue of the City and what I keep bringing up every time we have a computer bill. We are spending $15 million and we can't even send the right list over. On one hand we are spending $15 million to have the state of the art computer system, on the other hand we are selling our liens because we can't do it efficiently. The two policies don't match.

I am going to call for a Post Agenda to have Finance and the Budget Department at the table along with Capital Assets. Because my guess is there is going to be a lot of questions coming in from our constituents. The best way to do this is a Post Agenda on television and let everyone hear what exactly is true and how do we get to the bottom of it. Because when we debated the whole issue of the sales, I don't know if we got into the details of what that actually meant and what was going to happen; I know this never came up.

This particular type of letter, with these additional charges going this high, so I guess I don't need a motion, but I will be calling a Post Agenda for next week inviting those individuals. If anyone else wants someone else invited, please let me know. But I think we have to resolve this because I will just end by what I saw in the paper today, I didn't support the sale of the liens so that we can have our residents threatened or gouged. I am not so sure that's what is happening or not. I want to make sure that it does not happen. I think we can get there.

I do want to thank Capital Assets for admitting to sending out the letters and acknowledging their mistake on the less than $1 problem. I think we still have to make sure we provide the proper services to all of our residents that might have an old bill of a $1.05 from ten years ago and not get whacked with a large bill that they didn't even know they owed. Thank you.

Mr. Diven:

Yes. I just wanted to say that I am in full support of having a Post Agenda. I had the opportunity to talk with the representatives from Capital Assets this morning. We received a number of calls yesterday in addition to the bills that came in for under a dollar. Another concern that was made available, or made to me yesterday by phone was for the people that are on a fixed income that are on a payment plan set up by the City, will that payment plan be redone through Capital Assets?

In talking to Mr. Woodruff he said that as long as they have been continuously paying on that payment plan that payment plan will still stand. I think that they have been very responsive at least for Council's actions. Being a part of this Post Agenda will help disseminate some of this information as to what is going on here.

I think a lot of people were concerned when they received notification that they were getting a $41 bill for a 35 cent delinquency. It is not right and it is good to see that they are taking steps to address that.

The Chair:

Just to follow up, they have sent a letter to all of those apologizing?

Mr. Diven:

Yes there are 3,000 people all in the City.

The Chair:

I think most of them were in my neighborhood.

Mr. Diven:

There were lots in my neighborhood too.

Mr. Hertzberg:

I first want to publicly announce that there is no more City Water Department, number one. Number two, I am not Chairman of it. It doesn't exist. We received a lot of calls premised on the fact that I am Chairman of Public Works and Water. People with apparently variable water bills that were part of this process.

I think for this incident there is some blame to go to a lot of different people and entities. I think some of the old time bill collection in this City was pretty poor. But I think to not update it now and realize that there was a lot of mistakes that were made in the past is just repeating those same mistakes. Because we have a couple of mistakes made by the City itself in sending these things over to Capital Assets, these minimal bills. Then of course, Capital Assets not catching it themselves. There is plenty of blame for the problem.

I hope now that it has come to light, the problem will be solved. I will look forward to the Post Agenda too.

I have had another problem that we should get into with these issues when you get these real old bills and taxpayers are at a terrible disadvantage when the tax collecting authorities say you owe a bill from 1968, pay the bill. Now how many people have even a hope of resurrecting proof that they paid a bill from 1968?

You're at a total disadvantage and you have a municipality that has no statue of

limitations. If this were a private company trying to collect, the statue of limitations is over, forget it, they can't even try it. But a municipality can keep trying to collect these taxes forever. Sometimes you run into a taxpayer, it is so obvious they pay every bill the second they receive it, so you have to sit there and wonder who is at fault. It could easily be the municipality at fault.

What if someone working here our Treasurer and Finance Department just failed to check this off as a bill that was paid? How do you fight this kind of thing? I think you talk about taxpayers, bills of rights and things like that, on a state level. I think something needs to happen state wide to try to review this whole concept of how far we can go back? What rights of taxpayers should have in these situations with these old tax bills, these old sewage bills and the old water bills?

One of the things that has come up in the discussion too it seems like a bill of a dollar, you're tacking on fees of $35, $75. I think they are being marked legal, but they're actually lien satisfaction fees. There is actually a lien entered for some of these $1, $2, $5 at the Prothonotary's Office and in our Treasurer's Office, there are liens entered. To go through the process of paying and have the liens taken off, you have to pay more money.

That's where some of these additional fees are coming from. I don't know what the answer is going to be either with these ones that are below $1, where they're actually is a lien entered in that amount. That needs to be taken care of. I guess we would have to try to talk to the Prothonotary about waiving those satisfaction fees.

The Chair:

Lets make sure they are all at the Post Agenda that Mr. Onorato is calling, including the representatives from Harrisburg.

Last words please. We do have a Post Agenda at 2:00 concerning Truancy.

Mr. Cohen:

I just wanted to lend my support to the Post Agenda. A lot of the issues that have been raised this morning have also been raised with me in many calls to my office and dealing with everything from the small bills that Councilman Onorato raised to the payment plan which Councilman Diven raised. I very much support the Post Agenda, and hopefully we can get this worked out.

Let me just say this though, I do appreciate Mr. Dwayne Woodruff being down here this morning because he did answer a lot of our questions and did inform us that letters are going out saying that Capital Assets made a mistake. The people who got those bills for under a dollar will not have to pay that or the $41 added onto it. But I do appreciate taking the personal approach and coming down here and responding to Council members' calls. I hope he will be here for the Post Agenda as well.

MR. ONORATO moved to televise the post agenda.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion?

I have one point I want to bring up. I want to highlight my support and reinitiate to you my support of the Mon-Valley Express Way. Thank all of you for your October support of this very important project not only for our neighborhoods but for our region.

I do still have concerns but as was brought up in October when we pushed this, I see this as two very important issues here. Economic development for the region, a highway, a road that will connect us to the Mon-Valley Duquesne, Braddock, undeserved areas. There is an infrastructure there that is ready to be developed. Unfortunately, they cannot get to the highways.

Another, actually maybe a selfish issue, I see as a bypass for the Squirrel Hill Tunnel. The East End one of our major problems is traffic. No one gets on the Parkway from 3:30 to 6:30 to 7:00. All that traffic goes into our neighborhoods. If you worked in Oakland, you would never get on the Parkway; you would cut through the Squirrel Hill or the East End, Wilkinsburg.

If you go to the bottom of Greenfield Avenue, Second Avenue, it is bumper to bumper. So to me this alleviates a lot of our traffic.

Again, I will emphasize my point by taking people on two expressways; people that now are in our neighborhoods make our neighborhood streets unsafe would go on the Mon-Valley Expressway or back on the Parkway that they used to do ten, 20 years ago. It is not finished yet; it is a blueprint that concerns all of us. It drops off in Oakland; it does not touch Hazelwood or any businesses. At the most we would touch maybe less than ten homes.

It is going up the railroad track, under the High Level Bridge and all the way up to Braddock. I think the key thing people have to realize that it goes out and touches in Monroeville by the Indian Temple so it is a complete bypass.

Some of the concerns addressed by the administration are Nine-Mile Run, the new housing development. We will be voting on this very soon. One of the major problems with the Nine-Mile Run 700 new homes in the next ten years, is traffic concerns and rightfully so. The reason I have supported it so far and did not worry about traffic concerns, although there are many, I feel the Mon-Valley Expressway will help alleviate that in the future. Without that it is very hard to support building more homes in a very congested area and there is nothing else on the blueprint besides the Mon-Valley Expressway.

Concerns about LTV, we will be meeting with the leaders, in fact, I think this is a blessing where we are losing an old plant and building a new plant. Right now it is being built around the diagram of the old plant, the existing plant. This leaves a great opportunity when the new plant comes to design the highway even better. Maybe one of them will touch one home in Hazelwood. I am certainly supporting that. We can design it to enhance that and the Bates Street Corridor.

I think, Mr. Ricciardi, you have to pay close attention with all the development going on, the LTV across the river with the MC Bridge being used for transportation. Where is he going to dump all these cars? I

hope it puts them on an expressway.

I am still concerned about the development on South Side. We all support it, but without some kind of transportation, it is going to be a problem. It won't touch Duck Hollow; there is a small group of homes. It won't touch one home on Duck Hollow.

Again, I think it will enhance it. I am urging the Mayor and the Governor, and I will be seeing the Governor Thursday. I am urging him to try to move the railroad tracks to the Homestead side. The railroad tracks now only use two trains. If we move them and build this highway right on the train tracks themselves, we would be very very -- save a lot of money and enhance the riverfront. So I think it's a win win especially on the tracks rather than to go above the tracks, which would be very costly.

If you look at the plans it certainly enhances right now the riverfront. Also the new plans would enhance -- people in Hazelwood right now cannot get to the river at all. All the new plans are allowing facilities to go to the riverfront and Duck Hollow.

I have had support from the new $40 million project at Wineberg Terrace the new Riverview, they see it as a plus. We have taken off the exit there. So I see it is nothing like the East Hills where it wiped out neighborhoods and business districts. I see this as a very very major initiative on our part. There is a reason why Pittsburgh and the region has fallen behind the last 20 years, and one of the major reasons is transportation. This is the first major transportation issue in years. It is on the drawing board, it is ready to go.

I would also like you to look at the West End, the problems we are having their with the Wahlbash Tunnel and where is it going to drop down? Are we going to delay that another five years? The Wahlbash Tunnel, the Maglev, these are all issues that are being circulated.

The T to North Side the new stadium, which we announced today, the new ball park. These are all in the drawing board, but they are not nearly as far as this road. I think we have to continually support this road. It really enhances our economic development, let's stay focused. Let's stay focused. Let's get this road.

I certainly support most of the initiatives. The other transportation issues, we all have to work together -- if you looked at the downtown map that we were shown a couple of weeks ago, that's another great blueprint with the stadiums and the Convention Center, but we have to have transportation. Hopefully, this is a major example -- we are driving the third biggest employer in our region in the state. We have Philadelphia, Pittsburgh and Oakland. With the same neighborhood roads that we had one hundred years ago. We have to do something about transportation.

I see this as a major development and I had support before. I continually I want to work with the Mayor and his administration to make it work, and make it feasible for everybody. Let this area grow. We just can't let one or two items derail this whole project for another year to come.

Mr. Ricciardi:

I am going to be very brief. I am watching this discussion between the state and the City administration very carefully,

because one of my priorities obviously is the Bates Street Corridor and any disruption of neighbors or infrastructure that could occur in the Oakland area of the Oakland neighborhood that I represent. So to date, I am not in full support of the Mon-Valley Expressway.

However, I have not shown opposition until everything is really clear-cut and I can see what the neighbors see on the Bates Street.

My position is very clear, I will continue to watch this very carefully. I am going to act in a very protective manner for my neighbors that I represent in the Oakland area.

The Chair:

As you very well should, and I think all of us should.

Mr. Onorato:

I want to voice my support for what you just said. I supported you in October and I support you once again today. Obviously, all of us have been watching this and following this debate. I just think that with all the information I have read and heard and seen that I feel comfortable supporting what you're saying today.

The reasons are one if you look at all the major highways that serve the regions that were put into the City over the last 30 years, this is probably the one that has the least disruption of homes of any of them. It's almost zero to what we are used to with what happened on the North Side over the last 20 years where they took out 15 to 20,000 structures. You're talking in the neighborhood of single digits. That's a big difference.

I think we should also recognize that the majority of the City where this is going was in your Council district. I know you have been following this closely for that reason. If the Councilman -- if one thing we get accused of is not being parochial. You have the Councilman who's district is being impacted by the structure itself telling you that he believes that a lot of the concerns have been addressed. That the development can still happen, and he is here again after the October resolution to say it's still moving forward in the right direction.

I am willing to continue my support that I gave you in October because I think it is important too that we don't lose sight that we are talking as a region right now. The worst thing that can happen is that nothing happens. We are getting very close to the Federal and State dollars and the local match, the minimum impact on the City versus other projects.

So once again I voice my support for the issues that you brought forward and hope that this thing gets resolved.

Mr. Hertzberg:

Thank you. I am in full support of your position on the Mon-Fayette Expressway and will do what I can as a member of the South Western Pennsylvania Regional Planning Commission that you recently appointed me to, to try to help this process along.

I have to agree 100% with Councilman Onorato that what happens when we enter into these disputes on these large transportation projects, it's absolutely nothing. Sometimes it is just a wrench

thrown into the entire process. We have a big mess like the big mess that is going on right now with the airport bus way, Wahlbash project. But I will save that for another day.

The Chair:

Any other discussion? One last word on it, I would urge the Mayor and Governor to help support moving the railroad over there. So it makes it a much more pleasant Washington Boulevard Expressway type highway rather than major concrete highway, something that again I think did fit much better than what is already planned.

There is a lot of work to be done. I agree with you, Mr. Ricciardi, we have to make sure we protect our neighborhoods. There are a lot of questions unanswered but we will be working with that. As I said there is Post Agenda.

Mr. Ricciardi:

I didn't want to interrupt you, Chair, when you went first. I can't be very brief I started this meeting very calm, and I am going to end on a common nature. Colleagues and Mr. President, I have been following Plan B very carefully and especially through the media. I think they have written some very detailed reports and I thank them for that fine work.

There are some obvious things that I am going to be looking at because I think eventually this is going to come to our legislative table, in terms of disposition of land, eminent domain issues and possibly even some funding issues. So I am going to be looking at the easy ones. Meaning the easy ones have some very variables everyone has talked about. That is participation by the teams and the players and the funding source economic development issues and others.

But I was very taken back by the comments by County Commissioner Robert Cranmer concerning the privatization of the Convention Center. I am not going to be an obstructionist, but I hope Mr. Cranmer is also not trying to be an obstructionist or trying to be the player in this entire scene.

What I mean by that is that the Convention Center is running a debt. It is running a debt for several reasons. First of all it is in a facility that is just inept; it is in a facility that is just not really functional. Take for example when they were able to get the AFL-CIO and the NAACP conventions here. They had to basically give away the store because the convention isn't just a first prime convention, a first rate convention. When it becomes a first rate convention with the tax dollars, that's not when I am going to support a private management team or private firm that probably will come from Ohio, the same place they brought Saber Company to reassess the City of Pittsburgh.

I am not going to support that. That's when you are going to see the Convention Center operating in the black that's when you're going to see the Convention Center turning a profit. That's when you are going to see our 50 people down there doing very well. 25 of the people I believe are in the building trades. I think there are a number of people there that are laborers, many carpenters, there are plumbers. There's a very professional white-collar management team and I am looking forward to them to do very well.

Look at something else that is going to happen to Mr. Cranmer, unfortunately and

I am not sure if he realizes he has thrown a monkey wrench into it. There are two years left on a contract down there; I think it is with the laborers. As a matter of fact, I think Mr. Kesa was becoming very successful to open that up to change some of the work rules so it can be a little more successful in certain areas.

Now the Union is pulling back and saying whoa wait a minute, Mr. Cranmer is talking about privatizing the Convention Center. We're not prepared yet to open up our contract.

What I am saying is and I am only one of nine, and maybe they will say we just don't need Mr. Ricciardi's vote on this but we will see on the other issues that come to this table. What I am saying, if I don't have some sort of memorandum of understanding, if I don't have a written document before me that says there will not be privatization of the Convention Center, Mr. Murphy and the Commissioners would not have my vote when they need it.

I have seen the field policies on privatization by the current County Commissioners at Kane Hospital when they jeopardized the health, welfare and safety of those patients. Now they are talking about privatizing a Convention Center, something that we should be very concerned about, no way. The County Commissioners have shown that they have very inept policies and those policies are not going to be put on the back of the taxpayer here in the City of Pittsburgh.

Again I am on the record saying that if I do not receive something in writing, that there will not be privatization of the management team or the operation of the Convention Center. That the administration, the Murphy Administration, and the current County Commissioners will not have my one vote, one vote of nine, when it comes to anything that has to come through this table regarding Plan B.

Thank you. If I could just end, I was also just very disappointed if you read some of Mr. Cranmer's remarks, it's obvious that he's already been talking to some sort of outside private firm. Because he already made certain commitments and certain narrative sentences that it's obvious that he has already looking at the privatizing of the firm, privatizing the Convention Center.

That is very disturbing. I am hoping there is not too many backroom politics going on that is out of sight because it is bad enough that the taxpayers are against the stadiums. Let's now receive an objection to really doing a fine job on refurbishing and expanding the Convention Center because of some statements in Saturday's paper.

The Chair:

You bring up some good points, but you forgot the one about the tax collection going out and hiring after they laid people off. They have to go out now and hire an outside Ohio Company and pay $23 million to file up the collections. I was the Chairman of the Auditorium Authority and oversaw that. That Convention Center is very well run. It's a lost leader because whenever the hotels and big convention a lot of times they have to match a price or give it for practically nothing. Therefore, it's not a revenue generator.

If you want to turn around and act as a private and charge whatever rates they want and tell the hotels and everyone else the conventions, to be damn, we are sticking

to a price, that's another way to do it. Usually privatization to me is an excuse for bad management. In this case there is no excuse. There is good management there.

I support your initiatives right now; it is always good to look at things. But look at what you are charging and the Convention Center as it is run now. The managers have one arm tied behind their back in a sense of cooperation to bring people into the City. So it is not just the dollars and cents.

You brought up a good point; they're struggling with an old Convention Center. I think it is only fair to let them see what they can do when they have a tripled the size and have a first class Convention Center. So, I certainly would support your initiative right now.

Mr. Ricciardi:

Thank you.

Mr. Cohen:

This afternoon at 2:00 the Auditorium Authority with my presence is going to be voting to have the banks provide us with $27 million for site acquisition and the design expenses for a new Convention Center. That's a Convention Center as you all know which will be triple the size of the current Convention Center.

It will be modernized and it will take advantage of the riverfront by having a glass wall, and it is going to be fantastic.

There have been no proposals, formal proposals before the Auditorium Authority that I know of to privatize the Convention Center. I can tell you if there is such a proposal, I would not be very receptive to that proposal because Convention Centers are really by definition a public facility, they serve the public.

They are often referred to as an equivalent of a ballroom of a hotel. Where the ballroom itself does not make a lot of money but it does sell, help to sell hotel rooms. Well it is similar in a Convention Center.

What we are trying to do with that Convention Center is bring in conventions, tourists, sell hotel rooms and ultimately bring jobs to this region so that people will come see Pittsburgh, like it and either start a business here or bring people in for a branch office. That is the type of thing we need to have happen.

So the Convention Center itself isn't necessarily a big profit maker. But it will bring great profit to the region. That is what a Convention Center is all about. It really is an inherently public facility.

So as I said, there had been no formal proposals and if there are I would not be receptive to it. We need to continue moving forward, building a beautiful modernized larger Convention Center to serve the entire Western Pennsylvania region.

The Chair:

It is the draw, it brings people in. I must say, in the last three or four years there had been some problems. But right now the Convention Center, the hotels, the visitors bureau are really working closer than ever. So I am kind of disappointed in seeing this proposal right now. But with your leadership I hope you can continue to keep us abreast and move this project forward.

Again, I think we have to recognize and Plan B is lost that the hotel industry taxed themselves an extra 2% and that is going directly into the benefits of you.

Mr. Cohen:

That is exactly right. In fact that 2% will secure the $27 million that we are going to be voting on today.

The Chair:

Do I have approval of the minutes?

MR. ONORATO moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn?

MR. ONORATO moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And with the motion by Councilman Onorato, the meeting adjourned.

ADDENDUM

Ms. McDonald's comments on Bill 195 can be found in the Standing Committees Meeting minutes of March 11, 1998.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *March 24, 1998* *No. 12*

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, March 24, 1998

PRESENT:

Mr. Diven	**Mr. Onorato**
Mr. Ferlo	**Mr. Ricciardi**
Mr. Hertzberg	**Mr. Udin**
Ms. McDonald	**Mr. O'Connor (Pres't)**

ABSENT:

Mr. Cohen

The Chair:

We all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We are fortunate to have Sheila McDonald, daughter of Councilwoman Valerie McDonald. Sheila is a senior at Trinity Christian School and will be a freshman next year at Carlow. She is active in the band, in the choir, and she has a part-time job working at the movies and is very active in Saint Paul's Baptist Church.

Ms. Sheila McDonald:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you Sheila. On behalf of Council and myself we have a flag of our City and our Country.

We have many special guests in the audience.

PRESENTATIONS

Mr. Ferlo:

I would like all the Head Start Organization representatives to please come forward that are here this morning. Teachers and parents, Board members, Instructors, and Pinky. We have quite a distinguished delegation here this morning from the Head Start Organization, which has over 30 years of service to the children and to the families of Pittsburgh and Western Pennsylvania communities. It's a great honor for me to present the following proclamation in recognition of yet another milestone in this

important organization. I am sure I speak for all of our colleagues on City Council.

I want to present these to Pinky. We have a distinguished delegation here today and we have a number of groups. There are four major sub-contractors to the Head Start Program. We have representatives from the Pittsburgh Board of Education Head Start. We have representatives from Allegheny County Head Start. I will introduce some in a little bit and some from the American Council of Three Rivers American Indian Center Head Start Program and from the Preschool Development Head Start Program. I would like to move the following resolution.

MR. FERLO PRESENTS:

No. 252 WHEREAS, Head Start is a comprehensive developmental preschool program for children between the ages of three and five years, designed primarily to serve children from low income families with free comprehensive educational, health, mental health/disabilities, and other social services for the child's family;

WHEREAS, research has shown that the early years of childhood are the most critical years in the poverty cycle and that it is possible to break the cycle by strengthening the ability to of the children trapped within it to cope with school and by transforming the child's environment; and

WHEREAS, Head Start has a demonstrated track record of helping to break the cycle of poverty by providing children from low income families with a comprehensive program designed to meet their emotional, social, intellectual, health-related, nutritional and psychological needs; and

WHEREAS, Head Start serves over 3,333 children annually throughout the Pittsburgh area and has served over 50,000 children in the area since 1965; and

WHEREAS, the four Head Start programs located in the City of Pittsburgh and Allegheny County have formed a collaborative which has declared the week of March 29, 1998 to be Head Start Open House Week and is encouraging Pittsburghers to visit the Head Start Centers, meet the children enrolled in the program and to register their own children in Head Start.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of March 29 to April 3, 1998 "Head Start Week" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED that the Council hereby encourages community representatives, agencies, groups and families to visit a Head Start Center and participate in Head Start Open House activities during the week of March 29 to April 3, 1998.

The Chair:

Motion to approve?

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. I think you will recognize a lot of the leadership that is

here this morning. We do have Jim Yawner here and Pinky Reed from the Pittsburgh Board of Ed. I am sure we have no strangers here. We have a lot of Council members that have been active in the past at one level or another with Head Start.

Representing the Allegheny County Head Start we have John Mitchell, the Program Director; Bob Vogt, who is the Social Services Coordinator. And from the American Council of Three Rivers American Indian Head Start Program, we have Susan Buffton, the Director and Freda McClure the Social Services Director. From the Preschool Development Head Start Program we have Don Tyler who is the Social Services Coordinator.

I obviously don't know the names of all of the other fine people that are here. I recognize some familiar faces. I remember I was very active with Community Action Pittsburgh many years ago after Model Cities. I think one of the programs that I think really nurtured itself as a sustaining program that was so badly needed and wanted by so many people and families from that early period of the 60's was and is the Head Start Program. I think we can be proud of that track record.

I wish there was even more money dedicated in the Federal Budget and through State Governments to recognize the important needs especially the early childhood development needs of our children. I think no other program has demonstrated a more significant track record and quantifiable delivery of services. A lot of times people talk about it's a good program, it's a great program.

Well this is a program that has been tried and proven over several decades of public service. The results are quantifiable. You see it not only in the faces of the children but in the growth of those children and their families. I think Head Start is a proud organization that really needs to be not only applauded at this milestone in its career. But more importantly, I think we need to reflect about how important this organization is and what are we doing in our society to make the kind of commitment that we need to make to the children and families that we represent. It is money well spent and in fact more money needs to be spent so that this program can grow and provide services to even other income groups that are also badly in need of childcare services.

With that, I hope that that acts as part of the theme for the Head Start Week and Pinky and maybe others would like to have some comments at this time. Thank you.

Ms. Reed:

President, honorable members of City Council and of course my own Councilman, Councilman Ferlo, I thank you very much for proclaiming March 29 through April 3 as Head Start Week. This is our second annual event and we always respect and thank you for your cooperation.

As Councilman Ferlo said Head Start is a comprehensive multi disciplinary program that provides services to low income families in the City of Pittsburgh as well as the county. The Board of Education provides services to 737 families. From the months of September through June we provide on the average of 800 services to at least 870 people per year. These are the workers and the parents who enforce it and help us.

We have the Chairperson of our own

policy Council. Charise, will you please come up and say a word? We respect her because she is a parent. She is Chairperson; she works. We work night and day. She attends evening meetings and so we want to respect her as our Chairperson.

Ms. Lanear:

Good morning. I just want to say thank you. I am honored to be here this morning with you and thank you for making Head Start Week a proclamation week. As a parent of children that just left the program, I am a community rep this year. It's a lot of hard work. I just try to draw our parents in. But we need the support of our City and our community agencies to make our program stronger.

You all see me in different places, but you just don't know where you will find me. I am a busy mom. So thanks again.

Mr. Vogt:

I would like to thank the members of City Council for your proclamation today. I am Bob Vogt from the Allegheny Intermediate Unit Head Start. We provide services annually to over 1500 families a year. We are funded for almost 1200 families. But we provide services to 1500 families from Moon to Monroeville, Natrona Heights down to Elizabeth. We provide that comprehensive service not just for children but for families in general.

Parent involvement and social services are a large part of the Head Start Program as well as the early childhood education and health and disability services that are provided in the classrooms.

We appreciate your recognition today. We appreciate all the work that has gone into this Head Start Week. To have all four Head Start Programs represented, to have all four Head Start Programs in this county collaborating is a significant achievement and to be able to work together to have early education, early childhood education be a success is important. To see children's self-esteem boosted, to see parent's self confidence lifted, to see families pulling together and working together is what is going to help make these families be a success, not just now but into the future.

We would like to thank you for the proclamation. I would like to thank all the programs for working together so that we can help families be a success.

Mr. Tyler:

Good morning, thanks again. My name is Don Tyler. I am with the Preschool Development Head Start Program. We service the North Side and the West End, 672 children and families. I will be a little different. I would like to say thanks again.

We have already elaborated about the services, but I would like to invite each Councilperson member sitting here to attend a Head Start site, maybe a day, a half-day, a half-hour, or an hour. You won't know the intent of how much joy that the Head Start Program provides to children and families. We would like you to become involved in it. Once you come, you can sit, you can read, the rooms are set off in different -- the arts and crafts they have a blocked area. Once you come and become involved you will see the joy and the money that Head Start spends is well worth it. Because it tells about in over the years the number of children -- and I think if I remember Councilman Onorato was a guest speaker at

the Preschool about two, three years ago and we appreciate it. Thank you very much.

Ms. Gestrick:

Good morning. My name is Sue Gestrick and I am the Head Start Director for the Council Three Rivers American Indian Center. My colleagues here, I think, have expounded very well on the services provided by the program. I would like to add that we would like to thank you for your public recognition of the efforts of the parents and the policy Councils and the grantees who provide these services.

Our program provides services to approximately 800 children in the southeast planning section of Pittsburgh, as well as sections of northeast Allegheny County. On a more personal note, several years ago we are were able to put together a large amount of private funds to renovate a warehouse in Hazelwood, to turn it into what is now a Head Start Center. A very thriving Center that is used not only by our program but by the community.

I wanted to thank Bob O'Connor for his technical assistance and his support and encouragement in our efforts to do that. Thank you.

Mr. Onorato:

I would want to thank Alby Stuart. I have been a -- I am a cost critic of a lot of the Federal Programs. I don't think the Federal Government does a lot of things well. But I do want to point out, I have always said this is the one example where the Federal Government has their act together.

The Head Start Program -- you are at several sites in my district on the North Side, but I think it's critical. Because you get these kids at a very young age as opposed to waiting for them to walk through the door at first grade and having to start with catch up. You are getting them before they get there and they are coming in the ground running.

I also know it from a personal point of view because my sister runs the program out of Ohio in Bellmont, Ohio, at several different sites. I see what they're doing down there. I see what they are doing on the North Side and throughout the City. There is no doubt in my mind that this is probably the best use of any of our dollars. If anything, the Federal Government should expand in this program.

I think even through that whole budget discussion several years ago where they were cutting everything, this program survived. I think it survived because of what you produced and the allies you have and the only reason you have the allies on the elected side is because you are producing something that we can all see. You are providing a service in our community and what I like about it is you're in our communities. You are in there almost so quietly no one even knows you are in there until there is a threat that you're going to be moved out and all of a sudden wait a second, don't touch them.

I think of Millroy, I think of Northview Heights, I think of Troy Hill, I think of all these little sites where you just go on everyday cranking out what you always do. It is easy for us to take it for granted. We appreciate that you are there. Anything I can do to make sure you keep the levels you have or even expand, you have my commitment because it is a service that

we definitely need and continue to need.

Mr. Udin:

I also want to thank Councilman Ferlo and join Councilman Onorato in congratulating Head Start. I don't think it is the only Federal Program that has been successful, but it certainly stands out. If you go back to the mid 60's when many of the programs started, many of the those programs have been left by the wayside. Very few of them still exist. Head Start does exist. I think that you represent a model for other programs to learn from especially the enthusiastic involvement that you have for parents in the Head Start Program. I think that's really the key to making it work.

I think that the Board of Education may take a page from your successful experience in finding ways to get parents more involved in the education of their children. Because I think that's really what has made Head Start work. Thank you all very much.

Mr. Ferlo:

There are two events upcoming this week. Pinky, I assume or someone want to mention the two events?

Ms. Speaker:

On March 29 will be our kick off for Head Start Week. The school district of Pittsburgh has distributed 140 flyers and letters to area churches in our catch mitt area to inform them of our weeklong activities. I will let Consuello McTurner tell you on Monday about our reception and the main activity.

Ms. McTurner:

I want to thank Councilman Udin for his words because we are all over your area. He's my Councilman. Thank you. We are having on Monday a Head Start Reception throughout the Hill District at McKelvey School from 10:00 until 2:00. From there we go to Station Square. We are having a collaboration with the Community Home Health Care and we're going to be doing blood pressure screenings, AAA bicycle safety, a registered dietician is going to be there to talk on health and nutrition. So we are inviting all of you to be a part of that. Thank you.

Mr. Hertzberg:

Everyone associated with the Exploring the World of Diversity Program please come forward. I am privileged to have in Council District two, in the 28th Ward, in the Fairywood Community a fine elementary school. What I believe may be the best in the City of Pittsburgh, that is the West Side Traditional Academy. They are embarking on a new program over the next few days-called Exploring the World of Diversity. It involves interaction between the students and people with disabilities, mental, physical, what have you.

I think young children a lot of the time have a fear of people with disabilities, mainly because they appear different to them. But when they get to know them as friends or whatever suddenly it's as if they discovered a whole new world. I am really grateful that West Side Traditional Academy is doing this program. Let me read the resolution.

MR. HERTZBERG PRESENTS:

No. 253 WHEREAS, Wednesday, March 25th through Friday March 27th,The

West Side Traditional Academy will be hosting a program for its students called "Exploring the World of Diversity"; and

WHEREAS, This is the first program of its kind in the Pittsburgh Public Schools; and

WHEREAS, the goal of "Exploring the World of Diversity" is to have students meet people with disabilities, learn to appreciate their needs, the obstacles they face daily, learn about the adaptive equipment available to people with disabilities, recognize their successes and value their friendship; and

WHEREAS, planning to achieve the objectives for this momentous occasion was coordinated by West Side Traditional Academy School Principal, Harold L. Goldman, along with the Pittsburgh Board of Education Office of Equity and Compliance and the Program for Students with Exceptionalities, Three Rivers Center for Independent Living and the City of Pittsburgh Department of General Services; and

WHEREAS, It is believed that working together will enable students to achieve a better understanding of the challenges and barriers people with disabilities face daily.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate West Side Traditional Academy on bringing awareness of this important issue to their students;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares March 25 through March 27, 1998 "Exploring the World of Diversity" Days in the City of Pittsburgh

The Chair:

Motion to approve?

MS. MCDONALD moved to adopt the resolution.

MR. FERLO second the motion.

Which motion prevailed.

Mr. Hertzberg:

This doesn't conflict with the week set aside for Head Start. This is this week; we got our separate days here.

So with us from West Side Traditional Academy is the Principal Harold Goldman. We also have Barbara Goldman, with us today. I think she is in the audience. I think we have students from West Side. We have John Dubinski who is in Kindergarden, Martha Rey in first grade, Chaz Meadows, grade two, Zachary Sheridan, grade three, Mathew Barnes grade four, Shateya Sheffey grade five.

I think a variety of their parents are here in the audience. We are also joined by David Misra who is the President of the Three Rivers Center for Independent Living, Bill Chrisner, is the Executive Director of Three Rivers Center for Independent Living, Lucille Spruill from our Department of General Services here in the City and finally our elected School Board member from this area Evelyn Neiser is with us.

I know Mr. Goldman would like to make a few comments, and maybe we will hear from some of the others who are here,

maybe even a student.

Mr. Goldman:

President O'Connor, members of City Council and Councilman Hertzberg, the intent of exploring the world of diversity is to provide the children with information and knowledge about disabilities, the causes and effects of physical deficiencies and the need to approach the disabled with respect, support, caring and understanding. It is essential that our students recognize the significance of this program to everyone's daily life.

We are pleased to have children here from every grade, their supportive parents, Mrs. Neiser our School Board Member, Representatives from the Three Rivers Center for Independent Living, Lucy Spruill, and my wife Barbara.

The proclamation you are presenting to us today is very much appreciated and your support is very meaningful. We thank you for this special honor. Thank you.

Mr. Chrisner:

Three Rivers for Independent Living is very pleased to be apart of this effort to act as the community catalyst for this type of activity.

Three Rivers Center for Independent Living is an organization that is run by people with disabilities. The majority of our board members and staff are persons with disabilities. We serve, I think, as a role model for the nonprofit, public and for profit communities, so people with disabilities can in fact run businesses and be contributing members of their community.

I hate to disagree with Council but occasionally, Councilman Onorato, the State Federal Vocational Rehabilitation Independent Living Program, I think, also is a very effective program in helping to integrate people with disabilities into the main stream.

Councilman Hertzberg, I don't think it is the kids that have a problem with people with disabilities, I think it's the adults. The adults mess up the kids eventually. I think this kind of program really helps kids understand where bad attitudes come from. I think it's bad attitudes and physical barriers that are more of a problem for people with disabilities than the disability.

We don't have to be fixed in order to contribute and in order to be productive in our communities. But we do need to fix, identify and remove the barriers that prohibit us from being a part of the community and that's what this program is all about.

We are very appreciative that West Side Academy is taking this initiative. We hope it serves as an example for the rest of the schools in the City of Pittsburgh. We are also working hard to do it in other school districts and other schools throughout Allegheny County. That is what we call barrier awareness activities.

So we are very excited that we can have the opportunity to work with progressive schools like West Side Academy and work on removing these kind of barriers. We think that an educational effort is the best way to do it rather than get into legal battles and demonstrations and those kind of confrontational activities in order to bring attention to the public. This kind of positive approach can be a long-term very effective way of bringing about community

change, and we appreciate the opportunity. Thank you.

Ms. Neiser:

Good morning, Councilman O'Connor, other City Council members, Mr. Goldman, our students, parents, and friends that are here with us today. I am just absolutely delighted to be here because being a person who does have a slight disability now; I realize how people look upon you when you do have a disability. I learned two summers ago how hard it was to get around in a wheelchair and prior to that a walker. People just ignore you and go the other way.

These young people are going to have a chance to realize what it really is to have a disability and how they can be of help to you even if it's just opening a door means so much. I know I myself how many times I was ignored and the things that I had to do. I wasn't trying to be a complete invalid; I was trying to help myself. But these young people are really going to learn from an early age.

I can't commend Mr. Goldman enough. He has been at West Side Traditional Academy just a short while and he has brought so many programs to the school down there. He just really is enriching these children's lives so much. I thank you for having us here today.

Ms. McDonald:

Dr. Joanne Burley and her guests, preferably all of them. We are going to have three resolutions that are for women of distinction for Women's History Month, which is the month of March.

We have selected to honor, myself and Councilman Udin, for Women's History Month, first person is Dr. Joanne Burley, Dr. Vemell Lillie and Dr. Helen Davis.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 254 WHEREAS, Dr. JoAnne E. Burley is the Campus Executive Officer at the McKeesport Campus of Pennsylvania State University. She is responsible for all day to day affairs of all matters at the McKeesport Campus location; and

WHEREAS, Dr. Burley launched her higher education in 1964 at Pennsylvania State University. It was here that she received a Bachelor of Science Degree in Elementary Education. In 1971 Dr. Burley earned her Master of Arts Degree in Education from Fairfield University. The ensuing years resulted in Certification as a Reading Supervisor and Specialist, and a Doctor of Philosophy Degree from the University of Pittsburgh. Dr. Burley's renowned education culminated at Harvard University in 1988. She matriculated Post-doctoral study at Harvard University's Management of Lifelong Learning Institute. Her studies were concentrated in the area of Adult Education; and

WHEREAS, Dr. Burley has participated in many workshops and public presentations. Dr. Burley has helped design workshops such as: the "Women In Science, Engineering and Technology Workshop" for the American Association of University Women, "African Influences: An Educational Legacy" in McKeesport, Pennsylvania, "Stylized Cultural Language: Rap Music and Societal Implications" in Mt. Lebanon, Pennsylvania", and "Workforce

2000: The Youth Apprenticeships Program" in McKeesport, Pennsylvania; and

WHEREAS, Still in all, Dr. Burley has reserved time to composed various professional writings. Dr. Burley authored "Perspectives: From Adult Literacy to Continuing Education", "Andragogy: Implications for Perspective - Inservice Training", and many other notable journal and document publications; and

WHEREAS, Numerous awards have been bestowed upon Dr. Burley, among them, the Cecile M. Springer Award, the McKeesport Campus Outstanding Alumni Award, the Black Achievers Award, and the Woman of the Year awarded by Iota Phi Lambda Sorority, Inc.; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Dr. JoAnne E. Burley on her dedication to our community, in particular her promotion of Adult literacy.

The Chair:

Motion to approve?

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Ms. McDonald:

I will introduce some of the guests of Dr. Burley. I haven't met everyone. Dr. Nancy Herron, Chief Academic Officer Penn State; Cathy Schwab, Director Enrollment Management; Kirk Urey, Director Business and Finance; Peter Irvin, Director of Development and University Relations; Mrs. Linda Burley, Mother-in-law; Diana Burley-Gant, Daughter; Thomas Burley, Brother-in-law; Jack Burley, Jr, Son; Jack Burley, Sr, Husband.

I will turn the mic over to Councilman Sala Udin who is co-sponsoring this and then next we would like to hear from Dr. Joanne Burley.

Mr. Udin:

Just a few seconds to welcome the Burley clan. This is the only family in Pittsburgh that is bigger than mine is. The achievements that Dr. Burley represents especially in adult literacy and in all the other areas of achievement is such an important model for young people to be able to see and look up to. Thank you very much for all your work and to the whole Burley family for your support that you have given her to allow her to be able to do it. Thank you.

Dr. Burley:

Good morning everyone. It's truly my pleasure to be here this morning and to President O'Connor and to Councilwoman Valerie McDonald and to Councilman Sala Udin and to the members of City Council and friends and certainly my family. I am indeed honored to be here.

This is the 50th Anniversary for Penn State, McKeesport. We are celebrating all of this year. That campus has been in existence through the end of the Second World War up to today with the sole purpose of meeting the needs of the people who live in the McKeesport and the

Mon-Valley.

But I would like to say that my roots grow very deep for the City of Pittsburgh. I am a graduate of Westinghouse High School, which is in Councilwoman Valerie McDonald's district. My husband is also a graduate of Westinghouse High School and is a recent retiree from the HJ Heinz Company. Together we were two very young people starting out. Both attended Penn State University and the thrill of my life was to be able to return to my alma mater and head up one of the campuses. So when they say you cannot go home again, it is not necessarily true.

I appreciate all that the City of Pittsburgh has been able to give to the campus and along with all of my directors and my family who have encouraged me along the way. I can truly say that we have the intention of providing many more services for the McKeesport area and for the many students who attend the Pittsburgh Public Schools. Because the students who come to us for the first two years of their four year program principally from Allderdice or from Schenley High School, Westinghouse, of course, and the other schools, and Peabody, in the City, we do our level best to provide quality education.

So I hope that many of you will be able to join at sometime during the year as we celebrate our 50th Anniversary. And to you, Valerie McDonald, and to you, Sala Udin, I really appreciate this honor and I take it very seriously. Thank you very much.

Ms. McDonald:

I did not know it was the 50th Anniversary, but with putting all animosity aside, Penn State. McKeesport is a very good regional facility to help students attain there associate and bachelor's degree. I do know from experience that my now former husband struggled at the State College, Penn State because it was too big, and as a minority student you were definitely in the minority. He decided to drop out, he went to the mill to work and through encouragement from family, myself, he went to Penn State, McKeesport Campus, where he successfully achieved his degree.

I applaud Penn State McKeesport campus for the fine work. There was a person there that also was very instrumental in helping students as a tutor and an English teacher and that is the current Judge Cynthia Baldwin who we befriended a long time ago. So again, congratulations.

Ms. McDonald:

Dr. Helen Davis and Riley Davis.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 255 WHEREAS, Dr. Helen A. Davis is the founder, surgeon, and chief eye physician of Davis Eye Group, in Pittsburgh, Pennsylvania; and

WHEREAS, Dr. Davis initiated her higher education in 1971 at the University of Michigan, in Ann Arbor, Michigan. Dr. Davis received her Bachelor of Science Degree in Zoology in 1974. Soon afterward, Dr. Davis earned her Medical Degree from Tufts Medical School in Boston, Massachusetts.

WHEREAS, Dr. Davis has worked in a number of divisions within her field of study, excelling in all of them. She has

worked as a mentor and preceptor to students at the University of Pittsburgh Medical Center, Community College of Allegheny County, Community College of Westmoreland County, Western School of Health and Business, as well as many other trade and technical schools. Dr. Davis has set up an after school job project that employs honor students in a health care environment. Over 10 years ago she brought community education and outreach projects into existence for the elderly, disabled, and shut-ins. Dr. Davis has participated in the development of the Civic Health Institute, and community redevelopment projects in the Hill District, East Liberty, and Wilkinsburg. In addition, Dr. Davis' beneficence has supported numerous small civic organizations and private groups; and

WHEREAS, Dr. Davis has been presented with myriad honors and awards including: National Association of Colored Business and Professional Women's Award, Fellow of the American Academy of Ophthalmology, and the Alleghenians Award for Outstanding Community Service.

WHEREAS, Accompanying her above-mentioned achievements, Dr Davis has managed to fiercely involve herself in the Three Rivers Adoption Program. To this end, she has served as a foster parent for three children; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Dr. Helen A. Davis on her continued activism, and indigenous work for our community.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you very much, Dr. Davis. I will now turn the mic over to my colleague, Councilman Udin.

Mr. Udin:

Thank you again, Valerie, for honoring these three stellar of woman.

Dr. Davis is my doctor. She is one of the finest eye surgeons and professionals. She's the one who enables me to see my colleagues so clearly. Thank you, Dr. Davis.

The kind of achievement that you have heard read in the resolution is outstanding. But on top of that she has also taken the time to throw herself into community service and then on top of all of that she is the foster parent of three young children. Thank you so much, it's an honor.

Dr. Davis:

President, fellow honorees, Council members, I would like to thank you whole heartedly for this recognition. I really appreciate it. I hope that I will continue to serve all your respective people in your community and continue to provide good service and good work perhaps in someway continue to be your integral part of the growth and development of the greater Pittsburgh area. Thank you.

Mr. Davis:

Thank you very much for having us here in the Council. I am also a graduate of

Westinghouse High School. Of course, we have a location in the Hill District in Councilman Udin 's district. We also have one in East Liberty, and of course one in Wilkinsburg. We are a very community oriented eye health care center. One of our main missions is to stamp out preventable blindness. One of the things that we noticed is that there is a high rate of glaucoma and diabetic eye diseases in the community. It's so shocking. We are a service that has to be in that community. We need your help and anything you can do to help. Tell people to come get their eyes examined. If there is any diabetes in the family, any glaucoma in the family, it has to be looked at because people are losing their eyesight and it seems like no one cares. We really care and we are there for them. Thank you very much for having us.

Ms. McDonald:

Dr. Vernell A. Lillie no stranger to the City of Pittsburgh and her Council Chambers come forward? I am definitely just going to read this, I am sure Sala has a lot to say.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 256 WHEREAS, Vernell A. Lillie, is an Assistant Professor of Africana Studies at the University of Pittsburgh. She has been a faculty member at the University since September, 1972.

WHEREAS, Dr.Vernell Lillie holds both a Doctor and Master of Arts degree from Carnegie-Mellon University in English, with specialized training in training teachers who train teachers; a Bachelor of Arts degree in Speech and Drama from Dillard University, New Orleans, Louisiana; and graduate studies in Education and English at Texas Southern University; and

WHEREAS, In 1974 she founded the Kuntu Repertory Theatre with Rob Penny as playwright-in-residence. Kuntu, now in its 22nd season, has a history of bringing outstanding independent Black filmmakers and films and outstanding dramatic artists in film, theatre, and television to Pittsburgh, such as Roy Campanella, Jr., the late Kathleen Collins, Mari Evans (poet and playwright), Esther Rolle, and Glynn Turman. The Kuntu Repertory Theatre has performed locally and nationally for major universities and the American Theatre Association; and

WHEREAS, Dr. Lillie's program for the training of black actors has been presented to groups at the Kennendy Center in Washington, D.C., at the American Theatre Association National Conventions in Dallas, Minneapolis, New York and Toronto, at the American Theatre Association in Higher Education and at the Black Theatre Network in Atlanta, Winston Salem, and Chicago.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh
Recognizes and commends Dr. Vernell A. Lillie for her unique talent of reaching and teaching African-American youth to push through barriers of race, gender and class to achieve excellence.

The Chair:

Motion to approve?

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

Dr. Lillie when you come forward make sure you do your add on your newest production that is coming.

Mr. Udin:

This is a very special person here in Council today. I have known Dr. Lillie for close to 30 years. The contribution that she has made to the theater and the arts and education not only in the region but in the nation is really a standout performance deserving of a standing ovation.

Certainly Dr. Lillie gets many commendations for the theatrical achievements but also I know Dr. Lillie as the foundation and rock of her family. She came here with her family from Houston, Texas, Dicky Lillie one of the badest saxophone players in the country and their children. They blended into the Pittsburgh community so well and have stayed here and made huge contributions. It's an honor for me to be able to honor Dr. Lillie today.

I hope that she will also talk about the newest performance that will be opening up at the end of the month and going into April.

Congratulations, Dr. Lillie.

Dr. Lillie:

Hi. Thank you and thank you to City Council and those sitting here. It's quite a pleasure for me to be honored by these two individuals whom I am very fond of. Sala, I probably know better. If nothing else he took very good care of my little 14 year old daughter who was a very matured world savings activist and found herself in the midst of the black horizon theater with Rob Penny and others. Because I was a graduate student at Carnegie Mellon I really had some great fears and some worry for a 14-year-old being around all of these wonderful handsome adults. But August Wilson and Rob Penny and Sala Udin surrounded her and protected her and really she is one of the far most now public health workers in the country working with the Kaiser Foundation and doing a great deal of work with Medicare and those kinds of things. That was primarily because of the surrounding that was happening here in Pittsburgh.

Pittsburgh was very different to me. I need for you to know this than it was in Houston. In Houston they managed to place power in one's source. The African American community as well as the white community were very smart and they were very different. What they did was to place power in various places so it was very difficult to corrupt individuals and you still have that system. You could not corrupt because you couldn't corrupt, Nate, you couldn't corrupt Norman Johnson, you couldn't corrupt Robinson, and you didn't have a single person in charge. And that is the uniqueness that you have here.

In terms of the theater, that is where I have always been since the seventh grade in high school. I really thought that what I could do was to bring to you a new world. Not just founded around what we call art for art sake, because I personally do not believe that there is such an animal anyway, that theater itself represents the ideas the fore rays and the values of those persons who are producing it.

Then, if we talk about universality I wonder about that because I also think being hungry in the United States of America cannot certainly match being hungry in the third world country. So I thought what I needed to do was dismantle some of the myths that there are, so many ways that I can be served and the ways that I can be educated. I needed to make folk understand that our art for art sake does nothing but perpetuate certain kinds of traditions that may not be true.

I live not in a multicultural society but I live in a pluralistic society. I want to make that clear. I live in a pluralistic society. Primarily because if you are Italian and you are married to an Irishman, there is a culture that is going to come together from those two. If I am an African American and my heritage happens to be Choctaw, Black Feet Indian, and Ebow, then there's a culture that is emerging there.

When I talk about culture, I understand culture and we have a tendency to talk about art. What I am talking about I am in a society that is pluralistic. I want everybody to be recognized for who and what they are. Which brings me to the work that we are doing now, Blues for an Alabama Sky for we look at a very wide range Procleage (phonetic) is fantastic. She is looking at the issue of abortion. She is looking at the issue of homophobia, she is looking at what it really means to be somebody coming out of Savannah, Georgia, moving into the home renaissance. At the end of the Harlem Renaissance and at the depression. So, that is the kind of theater I bring.

I bring theater so that one is able to grow. I tell you, I tell folk all the time I probably won't make a lot of money but I am going to start pushing for someone to give me a building. Because I am 66 years old, I have got to retire, and I have not done 22 years of Kuntu Repertory Theater to have it dismantled once I leave the University of Pittsburgh. I am smart enough to know that the City Council and the government fund these kinds of facilities, you know. It's not just a public theater and public monies.

I have proven myself here. I think somebody owes this theater a space that is permanent so when this 66 year old lady, I can't make it till 80 here, and so somewhere down the line there must be an institution left to carry on this tradition.

I would like to thank you very very much. This honor is very important to me. This has been a great week for me. I was honored along with August Wilson and Rob Penny and I was with a group. I told my class Monday morning I said, hey, what has happened for me and what is going to happen for me this week can give me about another year to breath and feel good. I just want you to realize how important it is for you to take the time out to solute individuals.

We salute you because you have had a lot of fights haven't you? I have supported you too. It's just wonderful knowing that if you even want to just have an argument for the sake of an argument, that there sets a man -- he knows who I am talking to -- that there sets a man that is not going to let somebody walk over us poor little people. Thank you.

Mr. Ferlo:

I want to add my voice. We have a tremendous individual in chambers today

with Dr. Lillie. I want to thank you also and Dr. Brutus and others for your contribution in helping to make Paul Robison mean something this year. It is his 100th birthday and centennial of Paul Robison. I know we are going to have you and my colleagues here in a couple of weeks for his April 9th birthday.

I just want to thank you for your progressive leadership, not only in theater but the political education that you have been involved with so many young people. I want to thank you.

I don't understand why we can't create a marriage with the Regency Theater in East Liberty which is a beautiful building albeit empty and underutilized, with the success and the continuation of the Kuntu Repertory Theater. Maybe there is something with the leadership of Councilwoman McDonald from the district, and Councilman Udin as our Finance Chairman, the RAD contribution monies. I just hope that we don't lose -- we don't ever lose you. But in addition, I hope we don't lose the contribution of the theater.

The Chair:

Mr. Ferlo, I agree. I was just -- you read my mind about the Regency Theater. I was there yesterday looking at it and it is starting to deteriorate on the outside. It is just sitting there waiting for something to happen.

Dr. Burley:

I probably should have left well enough alone. But I have to commend one of the four most universities in this City, Carnegie University. I have to announce how very proud I am to be the mother of two wonderful children. One who is about to graduate from Carnegie Mellon and one who is currently attending classes at Duquesne University.

But my daughter who is attending Carnegie Mellon University is about to graduate in May with a Doctorate in Information Technology from Carnegie Mellon. I am extremely proud because she is married to a young man by the name of John Gant who will also graduate with his Doctorate from the Heinz School of Public Policy. Both of them have now accepted jobs. Unfortunately they're going to Indiana University, another big ten school where the world will still continue to rage between Indiana and Penn State. So go Nittany Lions, but I am very proud of her.

The Chair:

Will David Donohue, Diana Collier please come up from the American Diabetes Association.

MR. O'CONNOR PRESENTS:

No. 257 WHEREAS, Nearly 16 million Americans have diabetes, a disease with no cure that impairs the body's ability to convert food sugar into energy; and,

WHEREAS, diabetes is the fourth leading cause of death by disease in the United States; and,

WHEREAS, in this year alone, more than 650,000 Americans will contract the disease and 160,000 will die from it; and,

WHEREAS, people whose diabetes goes undiagnosed and untreated are subject to any of its serious complications, such as

blindness, heart disease, kidney disease, stroke, and leg or foot amputations; and,

WHEREAS, an increase in community awareness of diabetes, its human impact, and the American Diabetes Association, may stimulate public action in increasing research toward a cure and spur better treatments for people with diabetes until that cure is found;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby urge the citizens of this City to take the diabetes risk test; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim March 24, 1998 to be the "America Diabetes Alert Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Ms. Collier:

Thank you, Bob, and thank you, City Council, for recognizing today as being American Diabetes Alert Day. Also, for recognizing the seriousness of the disease. Today in Allegheny County 90,000 individuals have diabetes. 30,000 of those people don't know that they have the disease. Today we are calling for action to focus in on those 30,000 individuals and have them take this risk test. If you score 10 points or more you're at risk for developing diabetes. What we do then is we want you to -- we are urging you to go and get a risk-screening test. In the brochures, that I know I passed out to the group that is still remaining here, we have a lot going on in Allegheny County over the next few weeks. So we want you to go and take the test to make sure that you are okay and don't have diabetes.

If you need more information just about diabetes in general you can call our office at 824-1181 and we can also get you hooked up to a screening site nearest you.

Mr. Donohue:

There were lots of statistics in the proclamation that President O'Connor read, but the real tragedy of this disease is that one out of 14 people in the City of Pittsburgh and Allegheny County has this disease. It is the largest incidence of the disease and the general population. More people suffer from diabetes every day than suffer from the common cold.

We really do appreciate the efforts of Council in helping send this message to the people of Pittsburgh. If you ever wonder about the effectiveness of this whole resolution public awareness process, when American Diabetes alerts started ten years ago, one out of every two people with diabetes weren't diagnosed with this disease. Today, we have reduced that number to one out of every three. So we are making significant process and we really appreciate your support. These kinds of efforts do make an every day difference in the lives of people with diabetes. Thank you.

MS MCDONALD PRESENTS:

No. 258 WHEREAS, professional social workers have a century of experience helping individuals and effecting social change that benefit everyone; and

WHEREAS, social work developed in the last century in response to poverty, homelessness, mistreatment of prisoners and persons with mental illness, and the plight of widows and orphans; and

WHEREAS, social workers have played key roles in every major social reform movement, from settlement houses to labor reform., to the New Deal, to civil rights; and

WHEREAS, many things we take for granted today – Social Security, child labor laws, the minimum wage, the 40- hour week, Medicare unemployment insurance, humane treatment of persons with mental illness – came about because social workers saw injustice, acted and inspired others; and

WHEREAS, professional social workers continue to provide valuable service in health and mental health, child welfare, aging, and other areas; to increase opportunities for all members of society, and to speak out on behalf of the poor, the vulnerable, and the voiceless; and

WHEREAS, professional social workers daily help alleviate society's most intractable problems, working one-on-one with troubled children and families, organizing communities for change, performing cutting edge research, and administering social programs.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes Carlow College, School of Social Work, for their sincere dedication to the community.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaim the Month of March 1998 as Professional Social Work Centennial Month.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Now moving to presentation of papers.

MR. DIVEN PRESENTED:

No. 259 Resolution amending Resolution No. 84 providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof by increasing the costs $400,000 for a total cost of $1,000,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. UDIN PRESENTED:

No. 260 Resolution authorizing the Citizen's Police Review Board to enter into a contract for the hiring of counsel and consultants to assist in the representation of the Citizen's Police Review Board at a cost not to exceed $30,000.00.

No. 261 Resolution authorizing the Citizens Police Review Board and the City's Director of the Department of General Services to enter into a lease agreement for the leasing of the board's office premises. For a term of two (2) years at a cost not to exceed $74,008.08.

No. 262 Resolution amending and supplementing Resolution No. 838, effective January 1, 1998, entitled, "Resolution adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections.

MR. UDIN moved to suspend Rule 8 on these bills by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Discussion. If we're going to waive Rule 8 can we please have the representatives from the Review Board at the table to discuss the issues and also the City Solicitor? I would like to discuss some related OMI issues also.

Also,

No. 263 Resolution carrying over balances or portions thereof remaining in certain accounts for the year 1997 to the same or to other accounts for the year 1998. **(SPONSORED BY MR. UDIN)**

Which was read and referred to the Committee on Finance and Budget.

UNFINISHED BUSINESS

The Chair:

Is there any unfinished business to go in front of Council?

I would like to mention the City has made a lot of progress in Harrisburg regarding our efforts to re-amateurize the remaining $275 million unfunded pension liability. A new forty-year schedule was approved by the Public Employer Retirement Commission on March 5. So it certainly puts this in the right direction. Now the amendment will be attached to Senate Bill 284. We all voted and supported the $250 million bond issue. I feel now we should lobby together the state legislators to obtain this bill.

The Director of Finance Paul Hennigan sent a letter to all of us requesting his support and our support for it. I would like to make a motion that we draft a letter on behalf of all of us to send to the legislators and lobby for final support of this bill.

MR. UDIN moved to adopt the motion.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Under unfinished business, I believe the President took an action relative to disbanding, probably rightfully so at this juncture, of the so-called Plan B Task Force. It was put together at least initially to hear reports from the Mayor and the administration regarding a number of aspects of the so called Plan B both funding and facilities and location and some of the operational issues, which I think that was important that the task force be formed. I thought it was inclusive. I thought it was a

good contribution. But I do think both the public and myself as an elected Council member, I still think we are kind of out of the loop on a number of issues involving the implementation of the so-called Plan B.

I would like to respectfully ask, I think it is appropriate for us to have either a Public Hearing or a Post Agenda Meeting or a face to face meeting with the Mayor and the administration regarding implementation or process involved in the so-called Plan B. I think there are a number of issues that still need to have public review and Council's input.

I think generally that we need to move forward. I think you all know certainly how I feel about the need to move forward on the Convention Center. I wish we would just move on that even independently of the other issues of the stadium. That doesn't seem to be the will of the Murphy administration, maybe even the majority of Council. I think we need a face to face meeting.

This morning's paper is an example, this dinosaur park. I don't know if Commissioner Cranmer will be the first entry in there, but in any event, I think we need to discuss a number of issues. I will pick an example. We have a tremendous amount of public investment in making the 5th Avenue Corridor a major retail center in the heart of the downtown urban core. We have invested hundreds and millions of dollars to do that from street improvement infrastructure too.

Now if the Rooney initiative involves their own private money, if they want to build an entertainment mall or major retail mall or if they want to attract Nordstrom's or some other major anchor and if they want to utilize their private dollars, I am all for that. I think that's great.

I personally believe that we should turn the stadiums, at least for football purposes over to the Rooney family for them to administer, run, and just pay for and just get out of the business entirely. I don't think it is inappropriate for us to discuss those kinds of issues now relative to the implementation of Plan B. However, if there is a major public commitment, I do question whether or not we can have both an urban retail core downtown and put major public dollars into a retail complex next to a so-called new football stadium. I am just using that as a microcosm for a number of issues that I think this Council has a right and an obligation to at least review.

I still have reservations about some of the locational issues involved. I am still concerned generally about what actually the private commitment will be from the football interest and the baseball interest in this town. At this point there is no way or it is not clear to me what the process is going to be. We pretty much have sympathetic zoning at this point to allow some of this development to happen.

I just think there are a lot of issues that are involved. I don't think Council's review with the Mayor at the table discussing some of these issues in any way violates the proprietary nature of what is being proposed. I don't think in any way it has to be a roadblock to what is being proposed or what needs to emerge. But we have a major public body like City Council that has been kind of left out of the loop on a number of issues. I am very concerned in the twilight of these elected commissioners about the notion that they're going to turn over the Convention Center to some kind of

private entrepreneur.

I am very concerned about that agenda. I am just leery about what deals are being made, what handshakes are being expressed here, and what -- who is being lead to believe what as it relates to future development of the stadiums, and the Convention Center.

So far we are kind of out of the loop. I appreciate all the hard work that the Mayor himself has been involved in. I think he has hit the ground running. I think he has a responsibility to move this project forward, maybe to a certain extent he needs to have political blinders in order to get everybody involved and moving ahead. But I am not willing to give up my due diligence and my level of concern and participation on a whole bunch of different issues that need to be reviewed by this Council.

I would like to respectfully ask that either we have a Post Agenda with the Mayor and/or the administration. I think it needs to involve the Mayor himself, allow some public input at the Post Agenda or a Public Hearing, whatever. But in any event, that's kind of generally what I am expressing at this point. I think we need to move forward. I am very concerned obviously about what the public commitment will be versus the private dollar commitment and there are just a number of issues that I think we have a responsibility to discuss.

Mr. Ricciardi:

I am in full support of Councilman Ferlo's position.

Mr. Ferlo:

Can I just -- I will pick an example. I didn't know and in fact I spoke to the Kiwanis Club the other day downtown, and I have to go back and correct myself. I naively assumed that the several million-dollar center that we built for emergency ELC and the paramedic River Rescue was not involved in this grand design. I was aware and in the past we have had residents from the mid-rise, the high-rise, come down, the condominium high-rise and we knew at some point that may be an issue.

I have real reservations about that also. I am just using that as an example of so many different issues that I think this Council at least needs to formally hear a report and have some input on. Don't wait until you come to the table for rezoning or some authorizing resolution if you are not going to involve at least me in some of this discussion. I am telling you right now, I am not going to be supportive. We are not going to just fast track and ignore the public's right to have some input. Again, nothing I have proposed in anyway would stein me or dissuades the leadership that is working on Plan B to move ahead, but they have to go through some hurdles. Part of that hurdle is the public and this elected body.

The Chair:

If I can answer that a little bit and I certainly have concerns, as we all do. The high-rise is a very important part of it. I was surprised to see the new EMS being moved again. It is very hard for me to say why you would not want that there.

Mr. Ferlo:

I just don't know why the administration gives the Tribune Review and the Post Gazette, which they are

beautiful, great, lovely newspapers, but the public shouldn't have to read the newspapers to learn from elected officials what is up.

The Chair:

I think Plan B Working Group approved a blueprint. I think there is a tremendous amount of details to be worked out. We will discuss with the administration how to have an ongoing dialogue with Council to bring up concerns like the EMS stations, the Senior Citizens Center. There's a lot of work to be done yet and we should set that up and also public input.

Mr. Ferlo:

But just as another example, even if you were for building a new football stadium and let's say everyone is agreeing on that consensus, I still don't understand. As somebody who has never had the privilege of even buying a Steelers ticket, I don't understand why we wouldn't build a stadium where you have 20 or 30,000 more seats. We have obviously eight to ten home games, maybe ten, maybe eleven, where you could easily sell out.

I don't think it is unreasonable for the community -- if you are asking the community to use RAD funds and through this Council and other elected officials, I don't think it is unreasonable for us to discuss the practicality of what the stadium would look like? How many seats? Why build a brand new stadium if you are only going to have a couple of thousand more seats? I don't understand the logic of that one.

The Chair:

My son said the same thing.

Mr. Ferlo:

Well, your son and I think a lot alike.

The Chair:

I am getting worried now. I believe they're good questions. Some of them were answered in the Plan B, but I believe what you are asking should be an ongoing session with the administration and the leaders.

Mr. Ferlo:

With the disbanding of your committee, we have no input now.

The Chair:

We are trying to set up three sub-committees. That hasn't been finalized yet.

Mr. Ricciardi:

First of all, I must say I didn't realize the Plan B committee was disbanded but let me first start that I am --

The Chair:

It wasn't disbanded, it has finished its task and it is looking at three sub-committees.

Mr. Ricciardi:

I am very pleased to here that. First, let me say I am in full support of Councilman Ferlo's position. I believe his position is one of more involvement and interaction between this legislative body. Let's put Plan B Committee aside for a second, between this legislative body and Mayor Tom Murphy should be the first

meeting. After that, we should hopefully all get on the same page and then meet with the County Commissioners.

I had stated what Mr. Ferlo is also stating that at times it's very disappointing that I have to receive so much good information or so much valid information from the print media. I think that information should be flowing to us. I also have some concerns. I think Jim Ferlo has really touched upon all of them. As I stated in the past, I was very concerned that people were talking about privatizing the Convention Center, you lost my vote if that's part of the mix.

I agree with Councilman Ferlo that the Convention Center in part or in whole has the support, I believe, the overwhelming support of the taxpayers of this region and should proceed forward. We still have to see -- we could muster enough support for the stadiums to proceed forward, because we are still using tax dollars. I think that's something else we have to talk about. I am also very concerned that we spent, I believe up to $2 million on the River Rescue facilities. Now I have to read in the newspaper that that might have to be demolished.

I also want to talk about I think it is Engine Number 33. Where is Engine Number 33 of the firefighters going to be located if we remove the facility? I think that's a very important issue that we need to discuss. But to get back to the issue that is eventually as I stated there needs to be a host of votes from this legislative body in order to make Plan B work. I first have to get a feel and see what the taxpayers think about the entire field.

So if I can just say, Mr. Ferlo, I just want to make sure you hear this one point. I am in total agreement with you. I really believe that we are going to have to hear from the taxpayers and the residents of Allegheny County and City of Pittsburgh. Maybe in the near future if it doesn't come from the administration or the County Commissioners, I am sure if this legislative body and Mr. Ferlo does not, I will be making a motion for a Public Hearing on the entire Plan B before I make -- deliver any votes.

Mr. Diven:

I would like to say that I agree with Councilman Ricciardi and Councilman Ferlo. One thing that we have to be in our world as Council is the checks and balances to make sure that all these plans and drawings that we are seeing now are actually put in a position where they can actually materialize. I don't think that is going to happen by Council just letting somebody else run with the ball and not checking out to make sure that what they are talking about is going to be realistic and what they are talking about is going to happen.

I think a lot of us are aware that when they built Three Rivers Stadium, they proposed a lot of extra development, a lot of infrastructure, a lot of things that were going to be in connection with that development, but for whatever reasons, they didn't materialize.

If we are going to make this substantial investment in our economy and in our region, it is Council's obligation to make sure that we get the most for that investment. I think that the only way we can do that is by bringing the administration and bringing all the players to the table and finding out exactly what their plans are

down to the intimate details of how they are going to have things set up. That way we can make sure that the debates and the arguments that we have are happening now instead of 20 years down the road when we are talking about why the development failed. I think it's got to be Council's duty and obligation to make sure that this happens prior to any kind of development. I am in agreement with my colleagues.

Mr. Ferlo:

I find it interesting that the Mayor spends time, which is great, with Point Park students talking about these issues. Most of them don't even live in the City. He takes time to meet with the art groups, which is great, I applaud him for reaching out. But he also has got to reach out to the other side of the 5th floor if we are going to truly move ahead in a comprehensive and cooperative way.

The Chair:

In his defense he had been meeting with us and you were on the Plan B Committee up until about two weeks ago. I believe you're correct, everyone likes at least the blueprints. So let's find out how we are going to have ongoing communication so we don't have to read everything in the newspaper.

Mr. Hertzberg:

The River Rescue among the other ones was one of these issues that really amazed me. I know this City went to great expense not only for the cost of that structure but the design of it. It's designed so it can withstand the worst of floods. We went through great effort, and it wasn't very long ago that that building was completed. To just read in the newspaper one day that it has to be destroyed, I am going to have to receive a lot more information that tells me there is no other alternative available before I am just going to allow that to happen.

There's that issue and a number of other ones. I think Councilman Ferlo brings up a very good point.

Mr. Onorato:

I participated on the Plan B Task Force too. At least my interpretation of what we decided on was really very limited to the blueprint of the funding and that is the using Rad, the hotel motel tax. That's it. There was nothing else approved as far as I was concerned, that was the blueprints. None of these issues have been discussed. None of these issues have been approved by the committee. None of these issues of what building stays, what doesn't has been presented to this group. Let's make that clear for anyone listening.

In addition, I also want to talk about River Rescue for a second. This is the first I heard about it too when I read it in the paper. If you look at the designs that were in the paper, it appears there is definitely room and flexibility to keep River Rescue. Now the issue of what function that building performs and it could be River Rescue is one discussion, but the other discussion is the building itself, the structure. If you look at what they did in Candid Yards is the reason these new small parks have been successful is because they keep as many of the existing structures with character as they can.

I think it's great that we keep the Martin Building on the one end. But River Rescue could be the gateway into the new stadium right from the water. It is set up to

service the water. You have the bridge servicing the foot traffic from downtown being the entranceway. You have a gorgeous red brick building where we did not skimp on any expenditures. which could be a great facility for the entranceway into the ball park. It definitely has the esthetics that it will compliment anything that is built there.

So I would hope that as we move forward into the design of stadiums, that River Rescue remains apart of the North Shore. Because it really would work with the other bookend as you might want to call it, the Martin Building being on the one end, River Rescue being on the other end. It really squares off Federal Street, because the other side of the street is staying intact. I think it will actually add to the development and to the whole North Shore plan.

So hopefully that is part of it. But I do agree that we should have some discussions. But the one question that has been boggling by mind, I haven't seen the answer anywhere, and that is the Plan B discussion group sure approved the blueprint. I think everyone knows where the so-called funding is coming from or at least the majority of it. But I would like to know a very simple question and that is the time line. When can we expect the Rad Board to vote? Two, when are the Commissioners going to vote on the hotel motel tax? If somebody knows that answer, I would like to know that. But I have never been told. I heard that it is coming from there. But what are they waiting for. These groups meet -- the Commissioners meet weekly, the RAD Board I think meets either monthly or quarterly.

I would just like to know when is the agenda so that we can get beyond the debate of the funding source and then get into these others issues that everyone is talking about.

Because right now it appears to me that what I read in the paper is that there are three votes that are critical, the Mayor and the two Commissioners. If there is one Commissioner that changes his mind every few days, I would like to know what the decision is going to be here. If we have to solidify that funding source so we can move forward at this point.

Mr. Ferlo:

Just on this point, and maybe I disagree some what. I don't object to a straw vote or a straw consensus of the Rad Board. If I am on the Rad Board given the mandate that they have regarding the art groups, albeit the fact that the original state statute does include references to conventions, and albeit the fact that for the last several years the Rooney's and the McClatchey's have already gotten $10 million. But I think it is irresponsible for the RAD Board to make a final decision on the issue of funding until there is a clearer understanding of what the private dollar commitment is from the Rooney's and the McClatchey's relative to construction of two major new stadiums. As well as commitments that have been alluded to by the Murphy administration about paying for costs over runs. I would like to have a clear understanding of what the commitment from the building trades unions are.

I made the suggestion that they be presented with the same kind of commitment that Commissioner Foerester had done in order to get the airport built quickly and efficiently. Councilman Udin's point about what clearly are the economic benefits to the Pittsburgh community and the

home mix of all of this. I don't think it is unreasonable that we have a public forum with the Mayor to discuss some of these issues.

So I would respectively ask -- I can just call a Post Agenda Meeting myself. But I would rather do this in concert with Council President O'Connor and all of my colleagues and either in the form of a Post Agenda Meeting or some kind of a Public Hearing. I would like to respectfully request that.

The Chair:

I will meet with the Mayor and the administration I believe Thursday morning. I will request and set up the system. I don't know which Council member is in that district, Udin or Onorato.

Mr. Ferlo:

It is Councilman Udin's district.

The Chair:

Because again I know you share the concerns of the senior high-rise that will have to move. We want to make sure that it is moved close and the same quality housing is there.

Again, I am very disappointed in the EMS building having to move, especially if you're going to bring 40 to 50,000 people -- you would think you would want them right there anyhow.

Mr. Ferlo:

I am still unclear as to why the high-rise has to move necessarily?

The Chair:

That's where the ballpark has – at least the blueprint is calling for it there. The deal is that they get the same housing very close. It has to be an even or better swap for it.

Mr. Onorato:

I just want to reiterate one more point. Again, that side of Federal Street is Councilman Udin's district, the other side is my district. The line is there, but that is irrelevant. This is such a big project; it is all of our districts and we represent the City.

I obviously am looking for all nine of our inputs, but all these issues about the senior high-rise and once again I would caution us before we go down that road. We have not had the financing committed yet. I want to know why the vote has not taken place yet? Commissioners meet every Thursday. Are they on board or aren't they, and is the Rad Board going to vote? I think we have to find out --

Mr. Ferlo:

The private --

Mr. Onorato:

You don't have to get there because the -- we won't even need that question answered yet, because this funding source that was projected is only roughly a third of the piece so far. If that doesn't even get off the ground, you can forget about any discussion. Because there is a blueprint for the private sector to participate, we have to know if that is even going forward at this point. All I know is that the Plan B Task Force approved the blueprint. We heard the

leadership of the Commissioners and the Mayor's Office stand up and say I support this. But there has been no official action at this point, and I hear that ground is going to be breaking next year.

I think the time frame is critical so then we can go and deal with the senior high-rise and we can deal with River Rescue and we can deal with those issues and keep this thing moving. But the worst thing we can do is deal with those issues first and then have the rug pulled out from underneath us from the financing side and the issues were irrelevant.

The Chair:

Well again, you're saying a little bit of the opposite of what's been brought up. Unless that funding and I am agreeing with you, unless that funding is in place, why even scare the poor senior citizens to be moving or why talk about it because the funding at least what we are hearing --

Mr. Onorato:

I only brought it up because you did.

Ms. McDonald:

Point of order. We're having a post agenda now here. We are supposed to be having a Legislative session. I agree with Councilman Ferlo 100% that it is unnerving to have to read the development of negotiations and the plans through the paper. The process is very flawed in that respect. It is just plain old disrespectful to the elected officials because they are going to have to come to Council and what you want us to be is obstructionists, you want to talk now, you want to talk later.

So, I think that is the present -- Councilman Ferlo is trying to say I agree we need to schedule a Post Agenda as soon as possible. But I would urge Council President O'Connor is to insure that we don't schedule something and have very instrumental people such as Commissioners, Mayor Murphy, etceteras, not show up. I would, like Jimmy here; I don't want to see the representatives. We want to talk face to face with the people. But I think we need to go on with this meeting.

The Chair:

Let's move on because we can probably discuss Plan B for a month. Anything else under unfinished business? Moving forward to reports of committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 270:

Report of Committee on Finance and Budget for March 18, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 214:

Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Nineteen Thousand One Hundred and Eighty Four Dollars and Fifty-seven cents ($19,184.57) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1989 pursuant to the provisions of

Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which was read.

Also,

Bill No. 215:

Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Twenty-Five Thousand Fifteen Dollars Forty-four cents ($25,015.44) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1990 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which was read.

Also,

Bill No. 216:

Resolution Amending Resolution No. 401 of 1997 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by $2,115,204.00.

Which was read.

Also,

Bill No. 217:

Resolution Amending Resolution No. 402 of 1997 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project plan; providing for required assurances; providing for execution of payment vouchers and for the certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by $624,604.00.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

I want to thank Director Purees for all the information she sent Council regarding all the funding of the Single Point of Contact Program, the youth policy. She named all the contracting agencies, there are over 60. Again, I want to thank her for the follow up of this information.

The Chair:

Thank you. The bills are now ready for final action. All in favor of the passage of the bills will vote aye when your names are called; if opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor (Pres't)

(Mr. Ricciardi abstained to Bills 216 and 217.)

The bills having received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 265:

Report of the Committee on Public Works, Water and Environmental Services, for March 18, 1998, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 191:

Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1998 and providing for the payment of the cost thereof which is not to exceed Two Hundred Thousand ($200,000.00) Dollars, chargeable to and payable from Account 527900, Index Code 167601, Fund 1000, Org. 431000, Sub-Class 150, Project N/A, Budget Year 1998, Vacant Lot Cleanup, Department of Public Works.

Which was read.

Also,

Bill No. 202:

Resolution Granting unto J. C. Lewis of 1040 Fifth Avenue, Pittsburgh, PA 15219, his successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a concrete ramp at the main entrance of 1040 Fifth Avenue, 3rd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 203:

Resolution Granting unto Beatrice Lammert of 1031 St. Martin Street, Pittsburgh, PA 15203, her successors, and assigns, an encroachment to construct, maintain and use at her own cost and expense, a portion of Regina Street, 17th

Ward. 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 204:

Resolution Granting unto Thomas DeTemple of 1439 Hyde Street, Pittsburgh, PA 15205, his successors, and assigns, an encroachment to construct, maintain and use at his own cost and expense, a portion of Tilford Street between Hyde and Harris Streets, 28th Ward, 2nd Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills having received the legally required number of votes, are passed finally.

MR. ONORATO PRESENTED:

Bill No. 266:

Report of the Committee on Planning, Zoning and Land Use for March 18, 1998, transmitting one ordinance and one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 89:

An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Numbered 11 by changing from "C3" Commercial District to "RP" Planned Residential Unit Development District all that certain property bounded by: North Negley Ave; the "RP" Zoning District Boundary Line located, between Rural Street and Penn Avenue and also between North Saint Clair Street and North Negley Avenue, 11th Ward (Council District 9). (HEARING HELD MARCH 11, 1998).

Which was read.

Also,

Bill No. 144:

Resolution approving a Conditional Use under section 993.01(a)A(4) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended to James & William Rudolph for authorization to demolish a 2 ½ story structure and replace it with an access drive and a community parking area having a maximum of 4-parking stalls to be located at 5608 Wilkins Avenue on property zoned "R2" Two-Family Residence District, 14th Ward. (Council District 8.) (HEARING HELD MARCH 11, 1998).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Hearing none, bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; if opposed, vote noe.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills having received the legally required number of votes are passed the finally.

MR. RICCIARDI PRESENTED:

Bill No. 267:

Report of the Committee on Housing, Economic Development and Promotions for March 18, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 210:

Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh at a cost not to exceed $130,450.00, chargeable to and payable from Code Account (110304)566100-1000-110100-300-G225000-1998.
(SPONSORED BY MR. ONORATO)

Which was read.

Also,

Bill No. 211:

Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-owned Property in the City of Pittsburgh, Council District No. 9: Block and Lot 173-C-108, 7256 Campania Street, 12th Ward. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 212:

Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Hill Community Development Corporation for the Sale of various Properties located on Dinwiddie Street, 3rd Ward, City of Pittsburgh, Council District No. 6 (residential construction) (PRESENTED BY

MR. RICCIARDI AND MR. HERTZBERG).

3rd Ward
B/L 11-E-260
230 Dinwiddie St.

3rd Ward
B/L 11-E-261
232 Dinwiddie St.

3rd Ward
B/L 11-E-262
234 Dinwiddie St.

3rd Ward
B/L 11-E-263
236 Dinwiddie St.

3rd Ward
B/L 11-E-264
238 Dinwiddie St

3rd Ward
B/L 11-E-265
240 Dinwiddie Street

3rd Ward
B/L 11-E-266
242 Dinwiddie Street

3rd Ward
B/L 11-E-278
237 Dinwiddie Street

3rd Ward
B/L 11-E-279
235 Dinwiddie Street

3rd Ward
B/L 11-E-281
231 Dinwiddie Street

Which was read.

Also,

Bill No. 213:

Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and The Rubinoff Company or a limited partnership to be formed for the sale of Block 48R Lots 75 and 100 in the Sixth Ward of the City of Pittsburgh in Redevelopment Area No. 47, Thirty Second and Thirty Third Streets, Council District No. 7 (construction of flex warehouse facility). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Hearing none, bills are now ready for final action. All in favor of the bills vote aye when your names are called; all those opposed vote noe.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills having received the legally required number of votes, are passed finally.

MR. COHEN PRESENTED:

Bill No. 268:

Report of Committee on Lands, Buildings and Procurement for March 18, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 177:

Resolution providing for contracts and agreements or the use of existing contracts or agreements and for the purchase of equipment, materials, supplies and services, for rehabilitation and removal of under ground and above ground storage tanks and providing for the payment thereof, cost not to exceed $300,000.00.

Which was read.

The Chair:

You have hearing the reading and title of the bill, any discussion on the bill?

Hearing none, the bill is now ready for final action. All those in favor of the passage of the bill will vote aye when your names are called; all those opposed, vote no.

The ayes and noes were taken agreeably to law, and were:

Clerk, please call the roll.

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bill has received the legally required number of votes and is passed finally.

MS. MCDONALD PRESENTED:

Bill No. 269:

Report of the Committee on Parks, Recreation and Youth Policy for March 18, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 206:

Resolution repealing Resolution No. 835, approved December 16, 1997, effective December 31, 1997, entitled "Providing for a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the printing of the 1998 edition of the Summer Magazine and other related recreation materials for the Department of Parks and Recreation in an amount not to exceed $25,000.00, and providing for the payment of the cost there of, payable from Index 180109, Account 526150, Fund 1000, Subclass 150, Organization 520000, Budget Year 1997, in the Department of Parks and Recreation." The Resolution is repealed in its entirety.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion?

Hearing none, the bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

The bill has received the legally required number of votes and is passed finally.

The Chair:

Moving on to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Onorato:

Mr. President, you have in your hands a resolution that I will read. It is very short, only eight items, dealing with the Capital Assets Post Agenda that we had yesterday. Recognizing that this is a non-binding resolution, I would hope that if it passes today, by Friday of this week we get responses from Capital Assets. They already responded to a few of them. But these are the key issues that I think will be fair to them under their contractual agreement with the City under what they purchased to do. Also fair to the ratepayer who a lot of them are being caught up in the system that basically just wasn't fair on either antiquated reporting systems or just back record keeping on the part of the City.

No. 270 WHEREAS, the City of Pittsburgh entered into a purchase agreement with National Tax Funding, L.P. (Capital Assets) for sale of claims with respect to delinquent City real estate taxes and delinquent charges for the tax years 1995 and earlier.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests that Capital Assets Research Corp., LTD. And the Director of Budget and Finance implement the following:

1. Show on every bill the amount past due regardless of how old. There is a question of whether proper notice was given. Create one billing source (i.e. PWSA).

2. Forgive any amount below one (1) dollar and send a correction letter. Review all bills for age and ratepayers paying history.

3. Allow the rate payer to pay the past due amount plus interest only and remove the "cost of proceeding" fee. Research all outstanding bills in the Prothonotary's office for liens and only charge a "cost of proceeding" fee for liens on file.

4. Remove the penalty fee for lack of proper notice of old amounts outstanding.

5. Allow the ratepayer to enter into a payment plan.

6. Capital Asset Research Corp., LTD. shall provide hearing officers to allow the ratepayer the right to appeal the amount in question.

7. Provide the ratepayer in writing the procedures for filing an appeal.

8. Allow the ratepayer to first appeal in writing and then if necessary appear downtown.

Mr. Onorato:

I will be more than happy to take any friendly amendments if somebody has a different type of wording they want to use. This is really just the framework to go with.

On number one there is a question of whether proper notice was given on these bills.

What we heard yesterday at the Post Agenda from Mr. Fees and from Mr. Equels from the Pittsburgh Water and Sewer Authority said that the City is just about ready to do that. Which means that if you have a prior amount owed the same person sending out the bill or the same institution will send out the bill. Both for old bills and for current bills. That hasn't happened and I think that was a major problem with people not having notice. They thought they were paid in full and yet years go by when they realized it because the City was just squandered full of bills, but that should be cleaned up.

I would like to have by Friday by our Finance Department exactly when the total billing is going to be transferred over or when it will be completed.

Number two was taken directly from Capital Assets. they agreed to do that. Discussion came up yesterday by Mr. Ferlo and several other colleagues to possibly look at should the number be a dollar, should it be $10, should it be $50. But also more importantly look at the history of the ratepayer. If someone had an outstanding bill from 18 years ago for a $1.40, and has never been late on a payment since, or maybe there is a clerical mistake and proper notice wasn't given and that person should be forgiven. That was the type of issues.

The reason I didn't get into details here because we don't know what the monetary effect is yet until we get the list from the Finance Department.

Number three I have underlined "remove the 'cost of Proceeding Fee'". I would like to talk to my colleagues. Number three out of the eight of these, as far as I am concerned, is the most important number here. Because it just amazes me here that no one has picked up how outrageous this practice is. I looked at the agreement that this Council passed and the administration signed and prepared, the legal obligation allows Capital Assets to collect the liens and charge interest and penalties and to recover any cost for removing a lien. No where in there does it allow them or does it state that you charge everyone and then provide refunds if there is no liens. That in any business would be an outrageous business practice. That is the equivalent of getting a tax and an interest fee loan of a million to two million dollars depending on how many people do not have a lien on their property.

It is critical that Capital Assets research first and only charge the individuals that have liens filed. That is the cost to remove it. If the individual does not have a

lien filed, they should not have to pay the $35 to $40 added on to their bill and that adds up to a significant numbers when you put it all together. So I expect Capital Assets to at least respond by Friday and I will not accept no on this particular answer. It is just outrageous the practice.

The last three are really giving the ratepayer an opportunity if there is a mistake made on the bill. I know a lot of you received the same calls I received. I will give two examples. One, someone called my office or many people called my office and said I bought the property in 1990, I got a bill for liens owed before that date. But when you buy the property and you clear a title and moved on, this might be an inaccurate bill they are giving to this particular owner.

An owner, I think, should have the right to at least produce the evidence to Capital Assets before they pay the bill and before they have to come downtown if they have that information. Other individuals are saying that they never or that they have cancelled checks and they can show that they paid it. That type of information should be allowed to be done through the mail to make it as easy on the ratepayer as possible. This is the framework that I am putting forward.

But I want to stress again out of all of them number three, which is a current practice right now, as far as I am concerned, would not withstand a challenge to the Better Business Bureau or any other of those types of consumer groups where you bill everyone and then give refunds once you clean up your records. That is an outrageous practice and I would hope that at a minimal gets removed from the bills for the individuals that do not have liens.

I make that motion and it is on the floor at this point. I am looking for a second and any other discussion.

The Chair:

Second? You want to open for discussion.

Mr. Diven:

I would like to commend Councilman Onorato. I know that my office received a number of calls on this. I think that number three on his list here is going to be very helpful for those people who are getting a bill for $3 or $4 but are being charged $40 in processing fees. Especially when the Treasurer had indicated yesterday that the majority of practices in the past were not to lien anything under $50.

So these are people that are getting charged $40 or $50 times what their actual bill is in costs and fees and that is not right. I would like to commend him and the rest of Council for helping to help work and trying to provide a solution for these people. It is an issue of fairness and I think that this is something that has to be done.

Mr. Ferlo:

I don't like capital vultures. I made that clear yesterday. I don't like the way they have handled this whole thing. I am all for this resolution. It doesn't have the weight of law, if we don't get a proper response. I would ask that we, Councilman Onorato, submit it again next week and make it part of the mandatory language to the original resolution of Council agreeing to enter into a contract with capital group. Hopefully they will respond to some of this.

But again, under point two, I do want to stress, I don't think the $1 figure is somewhat arbitrary. If there are clearly individuals out there especially in the area of water and/or sewage bills as opposed to real estate, which is probably more the case, where the amount is several dollars from many previous years, it would seem to me as the Council pointed out, that it is probably a glaring situation of inadequate billing or improper billing or improper notification to the ratepayer. So if that figure is $3 or $8 or $11, and it is one time and it is seven years ago, I want them to be included in this $1.

I will vote for this resolution to move it forward, but I think we need to resolve that and that is why I asked for the information to give us a profile of a pattern of what are those dollar figures. There were 30,000 plus ratepayers notified, about 2500 in the less than $1 category, but there maybe another couple thousand in the $1 to $3 category. I want to make sure they are accommodated for in this resolution as much as the less than $1. It is not the dollar figure so much as the pattern of the process here that we are agreeing to. I hope we will have that information by the end of the week.

Mr. Hertzberg:

Thank you Mr. President. I am in full support of this after sitting through the Post Agenda yesterday. Particularly number three, what Capital Assets said the reason for their cost of proceeding fee, as I understood them, was it is just so difficult to determine from the Prothonotary whether these different bills have been liened or not that we will just assume that they have all been liened and then go check after you pay your bill.

I understand that it's going to be an additional cost to them to check and it's very difficult to determine what is liened and not liened from the Prothonotary, but that's the not the fault or responsibility of the people that are receiving these bills. It is just putting the burden of all that on these people that may only owe $5 or whatever.

One time in their life, they might have been like Councilwoman McDonald relating her experience sometime the bills just for unknown reasons don't ever get sent. Because of that you are going to get charged this up front fee to satisfy a lien that may not even exist. The whole thing is just wild.

I think number three is critical here and something is going to have to change. I don't know what, but this can't continue to be the way that things are done.

Mr. Ferlo:

Just on Mr. Hertzberg's points on number three, I am for this. But I think we need a legal interpretation. One is whether or not it complies actually with the formally written cooperation agreement between the administration and Capital Assets. This amounts to highway robbery in terms of the practice. I really question if it is even aloud under Pennsylvania statute. I don't understand how this is being aloud. So I would like to ask for a legal opinion on this from the Solicitor reviewing one, the actual cooperation agreement in terms of what the administration agreed to by way of the practice of the capital vultures. Secondly, whether or not it actually violates some state law. I don't see how this could be permitted.

Mr. Onorato:

As point of procedure. Why don't we make an amendment, Mr. Ferlo, Number

9 and ask that the Law Department respond by Friday on all one through eight items. I agree with you. If Capital Assets and the Finance Department cannot come up with an agreement by Friday, that we introduce it Tuesday as law. This is giving an opportunity to show good faith.

Mr. Ferlo:

Thank you. Before anybody gives capital vultures the nice guy award, let's be mindful because I asked a question to the representatives they didn't say that they were going to resolve this $1. I thought they clearly stated, they are coming back to the Mayor and the administration and they are expecting the administration, at least in my sense, they are expecting the administration to ante up and resolve this $1. So it is not like -- initially the newspaper made it seem like oh they are being great guys and they are going to waive this. In any event, let's not give them any proclamation any time soon for good guy awards.

Mr. Onorato:

I will move on that friendly amendment to add nine for the Law Department to report back to us by Friday.

MS. MCDONALD seconded the motion.

The Chair:

I want to thank Mr. Onorato for bringing the Post Agenda. Just looking at and I have had as all of you have had numerous phone calls. The ones that stick out the most are under $25 from five, six years ago; somebody has paid all their bills for the last ten years. All of a sudden they have one problem and were never notified. If you look at your Kaufmann's bills or VISA bills they are always on the next month bills. I think the City has a major responsibility in not billing properly. That is number one.

I think number three is the clear answer to 90% of our problems whether your bill is $3 or $10. I will pay the $5 or $10, whatever it may be. I don't think it is a question of people wanting forgiveness or anything, they just want to be notified that they owe a bill and they are certainly glad to pay it.

I certainly hope by Friday we can have the Finance Department and the Water Department work with Capital Assets to come up with a solution. Otherwise we are going to have to take more drastic steps. Because this is totally unfair to the ratepayers.

Any other discussion? Hearing none. I would like motion to excuse the absent member.

I am sorry -- motion to approve Mr. Onorato's resolution?

Which motion prevailed.

The Chair:

Any other discussion? Motion to excuse the absent member.

MR. ONORATO moved to excuse the absent member.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes?

MR. UDIN moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn?

MR. ONORATO moved to adjourn the meeting.

MR. UDIN seconded the motion.

Which motion prevailed.

And on the motion of Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, March 31, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

We all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

This morning we are honored to have Allison Murtha who is in the 8th grade at Saint Cyril of Alexandria School. She has come with her mother Alice. She lives in Brighton Heights, in Councilman Onorato's District.

Allison Murtha:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God indivisible with liberty and justice for all.

The Chair:

Allison, on behalf of Council we want to give you a flag of our City and our country and let's take a picture with Mr. Onorato, your Councilman.

We are privileged to have some honored guests in the audience.

PRESENTATIONS

Mr. Udin:

First from Bethlehem Haven please come forward. This morning we have the pleasure of honoring and giving some acknowledgement and recognition to an organization, which provides an often invisible and often thankless task of providing emergency shelter to homeless women. It's a task that everybody agrees to in principle until you try to find some place to locate the facility and then we have more difficulties than we anticipated.

But this is a group of women who persist, who stay focused on the issue because they are committed and dedicated to serving the population who has missioned itself to serve.

So I am really pleased to be able to join all of my colleagues here on Council today and this is co-sponsored by all Council members in acknowledging this week as the Bethelehem Haven Shelter for Homeless Women Awareness Week.

MR. UDIN AND ALL COUNCIL MEMBERS PRESENT:

No. 271 WHEREAS, the purpose of Bethlehem Haven Shelter for Homeless Women Awareness Week is to continually raise the awareness of homelessness in the Pittsburgh community, and

WHEREAS, the mission of Bethlehem Haven is to provide emergency shelter for women in crisis and transitional services to support longer term social and financial independence, and

WHEREAS, this mission is accomplished by providing overnight shelter, meals, clothing and other basic necessities as well as counseling for mental heath issues, family crisis, and chemical dependence.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh declares Week of March 29, 1998, Bethlehem Haven Shelter for Homeless Women Awareness Week.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

I would like to introduce and I would hope that we hear from all the representatives of Bethlehem Haven.

Ms. Washington:

Good morning. My name is Laurie Washington. I serve on the Development Board of Bethlehem Haven. Just as Councilman Udin just declared this is Bethlehem Haven Shelter for Homeless Awareness Week, we have some activities. Hopefully you can pull out your planner, take a few minutes.

On Friday we have a happy hour at Kiro which is open to the public. Saturday we have a run for shelter, half marathon or 5K walk or run in North Park, and Sunday we are having a jazz brunch at Kiro. That kind of closes our events.

So hopefully of the three activities you will find it in your heart to want to come and support the mission of Bethlehem Haven.

Ms. Sullivan:

Good morning. I'm Marilynn Sullivan and I am the Executive Director for Bethlehem Haven. You may know that we are planning a move in the next year or so to provide one stop shop for all the homeless people of Pittsburgh. We currently have 28 partners to do that. We are looking at ourselves as part of the economic development of the City. We are building people to become productive. That's our goal. Thank you.

Ms. Powell Sheetz:

Hello my name is Tara Powell Sheetz. I am the Director of Development at Bethlehem Haven. In the short time that I

have been with the Haven, I have only been with them for two months; I have seen all the wonderful things they do. And if you would like to come out and support us, we would really appreciate it. Thank you.

Ms. McDonald:

Would Ms. Sonya Toler and family please come forward? When I say your name, please raise your hand. Sonya, I am going to allow you to introduce the rest of the people who are not on this list.

We have, of course, Sonya Toler, Mr. Frank Haine, her dad, Ms. May Carlisle, mom. Nancy Toler, mother-in-law, Dick Toler, father-in-law, Rod Doss, Chief head honcho of the Courier, and then we have a lot of staff members. So when you get the mic introduce everyone.

I am glad you brought a lot of people.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 72 WHEREAS, Ms. Sonya M. Toler is the city editor of The New Pittsburgh Courier newspaper, one of the America's oldest African-American publications; and

WHEREAS, Ms. Toler initiated her groundwork for journalism at Praire View A&M University, in Texas. As a result of her full academic scholarship, she pursued a Bachelor of Arts Degree in journalism with a minor in psychology. In 1994 Ms. Toler finished her undergraduate studies at Point Park College, where she graduated with honors; and

WHEREAS, As a result of Ms. Toler's myriad experience in journalism, she has served on various boards and committees, among them: National Association for the Advancement of Colored People (NAACP) Membership Committee, Secretary for the Board of Directors – "I Dream A World", and a member of the Black Media Federation.

WHEREAS, Ms. Toler's distinguished professional writings have resulted in numerous awards, such as: the National Newspaper Publisher's Association award for Best News Story of 1997, WAMO radio station's Community Choice Award, and high honors from the Champions Association; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Sonya M. Toler for her notable and munificent service to our community.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

One thing I do know about Sonya, anytime she does a story regardless if it's good or bad in response to me she does an accurate story and she does a balanced story. This is what I personally appreciate whenever I talk to Sonya. I know that regardless of the facts, it's going to be presented as just that, the facts, and let the readers judge for themselves.

I commend you and I appreciate your

professionalism and it's an honor to be able to give you this award as part of Women's History Month.

Mr. Udin:

Thank you. I would like to add my congratulations and thank Valerie and her staff for initiating all of these awards during Women's History Month. But especially to Sonya Toler whose acceptance of this award is also I am sure an acknowledgement of the fine history and important work that the Pittsburgh Courier has done over the years and continues to do today.

I would just like to thank all the Courier staff for coming down and supporting Ms. Toler and for continuing to hold high the banner for justice and giving a voice in the African American community where otherwise there would be none. Thank you.

Ms. Toler:

I am not one for talk. I write that's what I do for a living. But I would really like to thank Valerie and her staff for this honor. It being Women's History Month I would like to give honor to a few women who have shaped my life. My great grandmother Annabelle Carlisle, who is not with us, she is outside of Philadelphia right now. My other great grandmother Goldie Proharris who is with us in heaven right now, my grandmother Alice Graves, and my mother definitely, May Carlisle has had a very major influence in the direction of my life and has always supported and loved me even when I didn't deserve it.

But I am here like Sala said because I represent one of the City's only African American publication. I am proud to be on that staff. I always envisioned myself working for the Pittsburgh Courier and it is a thrill everyday to come into work and there is always something new and always something that we have to do to help our community step up to the next notch.

As you sit here as Council people, I don't want you to overlook the fact that we have a major black community in the City who are crying out for empowerment, jobs, education. It's on your shoulders to help them along with the rest of the City to move forward into the next generation.

Mr. Doss:

I didn't know I was supposed to speak. I would like to offer my genuine and sincere congratulations to Sonya. She is a valued partner or employee at the Pittsburgh Courier. I agree with all the sentiments that she has shared with everyone here today, but would like to say that you know we at the Pittsburgh Courier are a very unique family. I think you can see from the turn out today, there is a lot of lent support to the honor bestowed upon Sonya today, but it is a day to day experience.

We try to lift one another and through lifting one another we help lift our community. So it's an ongoing process. Sonya, again congratulations to you on this important month, this important day, and there will be many more to follow.

Ms. Toler:

I guess I am supposed to introduce everybody who came with us who has not been introduced so far. Lisa McClendon is staff writer with us. Shawna Burgess is also a staff writer, Depak Shady in the back another staff writer. Carol don't get me -- I

am sorry if I mispronounce your last name, Magnolius. She's our Production Manager, Joan Allie who is every ones joy, and she is the first person I see when I get to work in the morning. She is one of our Classified Sales Rep's, Ernie Carry, who is our Circulation Manager, Ulish Carter, our Managing Editor, and I think that is everybody. I don't have my glasses on.

I can't forget about our photographer. He writes, he gets in trouble all the time, our photographer Sidney Davis and we have a writer here Norman Peterson.

Mr. Cohen:

Before the picture is taken, I just would like to add my comments briefly. First of all to commend Councilwoman McDonald and also Councilman Udin for presenting this proclamation. I just want to say that I have had the privilege of doing interviews with Sonya for the last few years. If nothing else, first of all you are a very good writer. But that aside, you have always been fair and that is one thing that I have always found in reading the articles after we have done the interview, is that you have always been fair. I very much appreciate that.

I just want to thank all the representatives from the new Pittsburgh Courier for being here and Rod Doss and his staff. Thank you.

Ms. McDonald:

We have another resolution. Would Marcia Martin, Phyllis you come on up too. This is another proclamation on behalf of City Council in honor of Women's History Month. As we had Sonya Toler up here, we have Marcia Martin.

I just think it's fitting that all too often we overlook the quite people that do a lot of service in our community. I mean Marcia works very very quietly. But she is a powerhouse in terms of what she gets done and how many people she has helped along the way. I am just going to read this resolution.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 273 WHEREAS, Ms. Marcia A. Martin is the Vice President of Marketing & Community Relations at Gateway Health Plan, located in Pittsburgh, Pennsylvania. Ms. Martin is in charge of various government, legislative, and community affairs within the Gateway Health Plan. Along with these duties, Ms. Martin is also responsible for managing corporate contributions; and

WHEREAS, Ms. Martin's professional preparation began at the University of Pittsburgh. Ms. Martin received both a Bachelor of Arts Degree in History & Black Studies, and a Master of Education Degree in Counseling; and

WHEREAS, Ms. Martin has excelled in numerous areas within her field of study. She has supervised teachers and educational coordinators as Assistant Director of the Pittsburgh Learning Lab/Youth Forestry Camp. She has provided social services to senior citizens as a Geriatric Caseworker at the City of Pittsburgh's Housing Authority. Ms. Martin also served as an Employment Specialist for the Urban League of Pittsburgh. Ms. Martin has also succeeded in areas outside of her field. She worked as a Regional Personnel Supervisor with the McDonald's Corporation. In addition, from 1988 to 1992, Ms. Martin worked in

Marketing, Human Resources, and Employee Relations for Equibank in Pittsburgh Pennsylvania; and

WHEREAS, Ms. Martin's extensive experience in various professions has lead to copious board memberships, among them: the Executive Committee of the Arthritis Foundation, the Ecumenical Institute on Racism, the Urban League, and P.A.C.E. (Program to Aid Citizens Enterprise). Accompanying the above mentioned accomplishments, Ms. Martin is also professionally affiliated with Leadership Pittsburgh XII and Pittsburgh Association of Human Resource Professionals; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Ms. Marcia A. Martin on her outstanding service to our community.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I am going to turn the mic over to my colleague, Councilman Udin, and then to Marcia Martin. I am sure she will have some words. Again she is quiet, but I know she will say something. But again, Marcia, congratulations. Again it's an honor to recognize you for women's history month.

Mr. Udin:

Thank you. I also want to give a personal reflection Ms. Martin I have known for many many years. She served as my boss on the Board of Directors of the House of the Crossroads, serving addicted Pittsburgh residents for many, many years and provided consistent loyal support. She was not a person who allowed her name to be used on the letterhead; she was there at every meeting, served on committees, and took her work seriously. Some of us were surprised when Marcia took the job with Gateway Health Plan. Because we always come to know her as a person who was dedicated to community service and nobody new where the HMO's were going to be, how they were going to relate to the public especially those who were most in need of health care representation.

I am glad that Marcia took that job. Because she has delivered Gateway to the community in a way that secured the interests of the poor and those who were least able to help themselves. She made sure that the policies of Gateway were policies that would not exploit people but would provide quality health services to all people who were members of that organization.

She also has done a considerable amount of work in organizing the rights of people on welfare. She doesn't blow her horn a lot but she used the resources at her disposal to empower the powerless and to organize the unorganized. She's a very resourceful and important person in our community. I am proud to be associated with this proclamation today. Thank you.

Ms. Martin:

Good morning everyone. First of all I would like to thank all of you at City Council for acknowledging all the women this week and last week. I hope you do it next year because usually people that get

honored are men. We do have a lot of outstanding women doing things on a regular basis in our community.

I didn't know I was supposed to say anything today. Actually I was on vacation last week. I wasn't really sure what I was coming over here for. But usually if someone asks me to do something, I do try to show up.

On a lighter note some of you might be interested in knowing especially your fellow members on Council, Sala and I used to do battle regularly. I was a lot younger in those days and neither one of us had gray hair. He was the Chairman of the house of the Crossroads. I took my board role very seriously and Sala would try to get away with things. It was my job to not let him get away with things.

We definitely have come full circle and some of those days were tearful and angry and swearing and -- but we each believed in what we believed in. So now five years ago when I came to Gateway Health Plan, people said I can't believe you are joining the enemy. You are working for an HMO. I said well give me a chance, if I went over here I must think I can make a difference or you know it must be a very good organization. And for those of you who don't know it, Gateway Health Plan serves over 100,000 people on medical assistance. I think we are doing a very good job. We are trying to get the word out in the community.

If there is one thing I want to leave with you today that is the fact that next year everyone on medical assistance in our area will have to be on an HMO. They need to get their information now because if they don't select a plan, the state will select a plan for them.

I thank you very much for your time. I did bring a co-worker with me today, Phyllis Johnson.

Mr. Onorato:

You should know Sala hasn't lost any of his fighting ability.

Mr. Ferlo:

I did want to thank the honorees that are here today but I do want to thank also Gateway for their help with Project Safe Summer and the helmet campaign, and a lot of other good work they are doing in the community.

The Chair:

Gateway is very active in the community and we want to thank you for all your help. Thank you.

MR. O'CONNOR PRESENTS:

No. 274 WHEREAS, Myasthenia Gravis is a disabling neuromuscular disorder which occurs in one out of every ten thousand to twenty thousand individuals. The disease is characterized by abnormal weakness of voluntary muscles; and

WHEREAS, the Myasthenia Gravis Association of Western Pennsylvania, Inc. through fund raising for medical research and the provision of practical and needed services to MG victims, leads the way for our community in the search for a cure for this disease and promotes public awareness and understanding; and,

WHEREAS, on Sunday, March 29,

1998, at the Allegheny Club in Three Rivers Stadium, the Myasthenia Gravis Association of Western Pennsylvania will hold a dinner to honor Nellie King and present him with the Art Pallan Humanitarian Award for his significant contributions of time and energy on behalf of the Myasthenia Gravis Association; and,

WHEREAS, Nellie King, a Pittsburgh Pirate from 1954 to 1957, went on to be one of Pittsburgh's favorite figures in sports - as a broadcaster for the Pirates or Sports Information Director at Duquesne University - Nellie has become a Pittsburgh legend and he is known for his generosity, his compassion and his willingness to give of himself for the greater good of his community.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join with the Myasthenia Gravis Association of Western Pennsylvania in honoring Nellie King and extends to him our most sincere thanks and appreciation for all that his has done to make Pittsburgh a better place in which to live; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of his efforts on behalf of the Myasthenia Gravis Association of Western Pennsylvania, does hereby proclaim Sunday, March 29, 1998, to be "Nellie King Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now moving to presentation of papers.

MR. DIVEN PRESENTED:

No. 275 An Ordinance amending the Pittsburgh Code, Title 6 Conduct, Article 3 Dogs, Cats and Other Animals, Chapter 633 Dogs and Cats by adding Section 633.21 entitled "Animal Fighting Reward Program."

Which was read and referred to the Committee on Public Safety Services.

No. 276 Resolution authorizing the transfer of one thousand dollars ($1,000.00) from Miscellaneous Services, Department of Public Safety to the Animal Fighting Trust Fund.

Which was read and referred to the Committee on Finance and Budget.

No. 277 Resolution authorizing the City Controller to create a special trust fund, to be designed as the Animal Fighting Trust Fund, for the deposit of cash, private contributions, grants and transfers and authorizing the use of said funds deposited for issuing rewards.

No. 278 Resolution authorizing an Agreement or Agreements with a consultant or consultants for infectious disease services for the Department of Public Safety, and providing for the payment of the cost thereof, cost not to exceed $50,000.00.

No. 279 Resolution providing for an agreement with Pittsburgh Mediation Center for professional services at a cost not to

exceed Twenty Thousand Dollars ($20,000.00), and providing for the payment of the cost thereof.

No. 280 Resolution providing for an Agreement with a psychologist for professional services at a cost not to exceed $75,000.00 and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Public Safety Services.

MS. MCDONALD PRESENTED:

No. 281 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed $94,550.00 in the Department of Parks and Recreation.

No. 282 Resolution providing for an Agreement or Agreements with Brashear Association in the amount of Ten Thousand ($10,000.00) Dollars for operational/administrative expenses of neighborhood facilities for the benefit of the residents of the City of Pittsburgh.

Which were read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. UDIN PRESENTED:

No. 284 Resolution providing for the issuance of a warrant in a sum not to exceed $15,000.00 to the Commonwealth of Pennsylvania, Department of Transportation, 45 Thoms Run Road, Bridgeville, Pa 15017, in full and final settlement of the action filed at court of common pleas gd96-1636, alleging that the city of Pittsburgh was liable for causing and correcting a landslide occurring at the 8400 block of Frankstown Road in the City of Pittsburgh on and after January 19, 1995.

No. 285 Resolution providing for the issuance of a $3,563.29 warrant in favor of Ellen Flasck, 6511 Venture Drive, Pittsburgh, PA 15236 in settlement of a claim in which claimant's vehicle was hit by a City Police van on March 19, 1997.

Which were read and referred to the Committee on Finance and Budget.

UNFINISHED BUSINESS

MR. O'CONNOR PRESENTED:

No 247 A resolution appointing John Bingler as a member of the Civilian Review Board term to expire October 31, 1999.

MR. COHEN moved to approve the appointment.

MR FERLO seconded the motion.

Mr. Hertzberg:

Mr. President, can I make just an amendment so the appointment itself reflects that this is the Mayor's appointment rather than Council's appointment as there was some mystery over it? I would like to put that issue to rest.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Onorato:

I apologize you might have read in the paper today there was a bill that I wanted to introduce today, and I just handed it to the Clerk. If she could read it and then I want to waive Rule 8 and put it on tomorrow's agenda.

MR. ONORATO PRESENTED:

No. 283 A resolution entering into a lien purchase agreement with the National Tax Funding LP and a lien servicing agreement with the Capital Asset Research Corporation so as to follow the following line items of one and two.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda tomorrow.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Discussion -- I fully support the bill. I realize we are going to discuss it tomorrow, but I believe we were supposed to receive from Capital Assets on Friday regarding the issue of fines and costs that were added onto the liens. I did not receive it, and perhaps tomorrow when you discuss it be prepared to discuss that as well.

Mr. Onorato:

If I can comment on it right now briefly, and that is we did not receive it. Mr. Pferdehirt from our Law Department called me on Friday and asked if I could wait until Monday because he was busy with a lot of other cases. I said no problem. Monday came yesterday and there was still no response from Capital Assets. However, the Law Department did respond in writing. To make a long story short, their opinion is the billing procedures Capital Assets are following are not allowed according to the agreements and that is why this bill was introduced.

There has been no response from Capital Assets to date. However, Mr. Woodruff called my office today in response to the article in the paper. This bill is being introduced and he wants to meet with me. But I still want to move forward, because I think now with the Law Department's legal opinion, verifying what we are saying is right something has to be done here to stop the improper billing procedures.

Mr. Cohen:

Thank you for introducing the legislation. I am telling my constituents not to pay it and their deadline is passing. It is absolutely unfair. Councilman Onorato is taking the lead on this but hopefully we will be able to give some guidance to our constituents through this legislation.

Mr. Onorato:

That's why I waived rule eight so we can get an answer.

The Chair:

No further discussion on that, we will move to roll call vote for Mr. Bingler.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

The Chair:

We have a veto from the Mayor's Office on bill 195.

MR. O'CONNOR PRESENTED:

No. 286 A communication from Tom Murphy, Mayor, City of Pittsburgh, returning with his veto on Council Bill 195 entitled resolution providing for an agreement with the Veteran's Place of Washington Boulevard for the sale of the City's interests in 921 through 977 Washington Boulevard, 12th ward following the City's acquisition be it treasurer's sale and providing for the creating of an escrow account into Veteran's Place of Washington Boulevard shall deposit the sum of $190,000, $1 of which shall be paid to the City as a purchase price.

The Chair:

Do we have discussion on the bill, on the veto?

Mr. Ferlo:

I respectfully ask that we vote to override the Mayor's veto and I so move for purposes of discussion.

MR. ONORATO seconded for discussion.

Ms. McDonald:

My vote will be to sustain the veto. Do you want to go first or do you want me to go first?

Mr. Ferlo:

Well respectfully I would like to just explain. I think a number of colleagues certainly the majority in approving this bill I do take exception to the Mayor's comments in his veto letter about some how the actions of Council was arbitrary. I don't think anything of the sort. I think there was lengthy discussion and reasonable thought given at the Council table regarding the issue.

Let's just size up what the issue is. The issue is not germane and parochial to any one Council district. The issue really is fundamentally how are we creating housing opportunities for those most in need in the City of Pittsburgh? The gentleman in the audience back there has been struggling for over three years with his organization to bring about his dream and a dream of a lot of other people for a veterans home and a veterans place along the Washington Boulevard corridor. This is a large series of town homes that if you went out there today you will see broken glass. They are basically under condemnation. In fact, it is good that the City put up our red signs last week along private property owners who failed to take care of their property. In this case the City itself also is a contributor and a culprit when it comes to condemned and abandoned property.

This is a great opportunity to respect the efforts of these veterans to raise several millions of dollars needed in order to renovate, refurbish and make new homes,

not just housing but homes for people in need in the City of Pittsburgh. In the 11 years I have been in office except for maybe the recent transaction involving the expansion of a bakery in the East Liberty Larimer community, I think this is probably one of the first opportunities we have had. At least I have had to vote in favor of an effort at the community level to restore, remodel and rehab some important housing.

The people who live to the right and the left of this abandoned row house of which it is a very large series of buildings, they can't even have fire insurance because they live next door to this City owned condemned property. I would hope rather than the kind of petty politics that are expressed and the actions of the deputy Mayor Cox, Director Hennigan and the Mayor's veto letter because when I read the letter, I saw no rational explanation, just some vague reference and innuendo about this project has some for profit developer interest in it.

First of all, that is just not true. I don't know what the genesis of that discussion is. There are no for profit interest groups involved in this site. These are non-profit groups that are funded through the veteran's administration. They need to raise a significant amount of money which they have $1.7 million pledged right now by the Federal Veterans Administration and they need support and harnessing of other resources to bring this project to fruition.

I don't know where this innuendo came, and it's an interesting innuendo because we are being asked this week to vote for the Rubinoff Company, to do a several hundred million dollar initiative at Nine-Mile Run. There is no innuendo attached to that which has private interests profiting and rightfully so.

I mean if we are going to move the City ahead, people have to make a buck and if they involve themselves in housing or commercial development, the presumption is there is some entrepreneur or for profit activity connected with the project. In this case, there is none. I don't even know where that innuendo came from or what the public is supposed to imply from that innuendo, but it is just not accurate. I resent the indication without any back up.

There is a phrase in the Mayor's letter about because we lowered the price from $60,000 to $1 after a lot of debate and discussion at the table that we are being arbitrary. I don't know where that came from because we, in fact the staff, do have some basic principles that guide them for the transaction of property but ultimately it is this Council that needs to step in appropriately when it is appropriate to make a policy decision.

I think that is basically what the spirit was behind our vote. We were trying to say that after a decade of hundreds of housing units being demolished in this community, here is an opportunity, a creative reuse and adaptive reuse of important housing for a targeted community that needs help. I mean my vote and my discussion last week was not meant to in anyway mess up the works or imply that the administration was not being supportive of veterans. Although I think their veto actions amounts to that.

I was guided by common sense; I was guided by compassion and commitment. I think common sense if we had to demolish these units it would cost us direct out of pocket roughly one tenth of our demolition

allocation this year. Probably close to $100,000 and to demolish these units and they should be demolished if we are not going to support this project or some other meaningful project to develop this housing.

As far as compassion, what is wrong with making policy statements that says yes we have urgent needs. The veterans that will eventually benefit from the homes and all the services that will come out as a result of the housing opportunity, and people being mainstreamed back into life or income for employment, for socialization. Is it so wrong to be compassionate and say this is an important project? We did that on 301 Rube Street years ago on the Friendship development.

We made an anomaly here in our transaction. We said we wanted to be supportive of the community, it was a Keystone building kind of sparked a bunch of other development. It was an expensive project so we created an anomaly here, we changed the price. We had a group a few years back, Black Veterans Association, Mr. McCoy who wanted to renovate an abandoned City house along I think it is either Thompson or Thomas Boulevard and McKearson Boulevard. So we changed the price because we wanted to be supportive of that initiative.

If we need to start thinking and applying this principle to other projects that are worthy at the community level, maybe we should focus in on that. Not hold hostage the veteran's place on Washington Boulevard and all the good efforts. The community builders which we funded to do the Schenley Park Apartments has just received over $50,000. They have been working with this veterans group over the last three years to put together their package. So this notion that they just kind of landed from Mars this has been an indigenous effort, they have been working with the community, they asked for professional expertise from community builders who have a lot of track record in renovating housing of this type.

So I would ask respectfully that we vote to override the Mayor's veto. What is the outcome going to be? The outcome will presumably be where the administration will resubmit a bill. Assuming the vote is the same way, we kind of have a dead lock situation. I don't understand what is prompting this action. Where is the sense of equity? We have supported rightfully so new housing construction, Washington's Landing, the South Side, my own Council District, several hundred million dollar proposal for Nine-Mile Run. This is one project involving a large number of row houses that are meeting a vital need and need financial support from the City.

If we had to pay for the condemnation of demolition that is direct out of pocket money that we would have to pay, the $60,000 versus $1 are not true costs or actual out of pocket expenditures. They're opportunity costs that we have anyway. Whether the Finance Department sells this for 60 or $1 or whether they sell this or a house down the street that is in the three taxing body authority, those costs associated with the administration are there anyway.

This is a time for us to make a reasonable policy statement its not rational, its not irrational, it is not arbitrary. I don't know where this innuendo about some for profit group being involved, that is just not accurate according to the gentlemen who are putting and struggling with this project for

the last several years.

I don't even know if the Mayor knows that he vetoed this. I get the sense that maybe someone put something in front of him and maybe he didn't even give it much thought. I say that respectfully because I know he is busy. I know I was upset Friday when I sent a press release out. I said the Mayor is preoccupied more with the ballpark and Nine-Mile Run than he is about this project and maybe that's so. Maybe that is what he needs to do, I don't know. But does that mean that this Council needs to be preoccupied with that? Or is it reasonable that every once in a while that we be deliberative and be reasonable and try to make a statement here.

I would respectfully ask for my colleagues to override the veto.

Mr. Cohen:

Thank you, Mr. President. I am going to be voting to override the veto today. We have at the very least here a perception problem. It might be just a perception problem, but perception is reality in politics. That is that we are spending millions and millions of dollars for development projects around the City that's in grants, that's in loans, that's the tax increment financing. All of us could name a dozen projects right now that are receiving grants, loans or tax increment financing. The people who are putting together Veterans Place are not asking for grants. They are not asking for loans. They are not asking for tax increment financing. They have gotten Federal money; they have gotten state money.

All they are asking for is for us to convey that property to them. Property that is a long row of abandoned, vacant, boarded up, unsightly houses on Washington Boulevard. It is quite close to my own house, so I see it all the time and to convey that for dollar.

The perception problem is that we are handing out millions of dollars in grants, loans or tax increment financing on the one hand. We can't convey this property for a dollar for a development project, which nobody could object to. It is a veteran's project that will turn that long row of abandoned houses into beautiful homes for veterans. Nobody could object to that. Frankly, I think it is a small price for us to pay to upgrade that section of a very busy corridor, Washington Boulevard, and to provide a good spot for veterans.

I would like to ask I don't want to put him on the spot at all, but I would like to ask Mr. Singer to stand up. Could you stand up please? Mr. Singer is the face of Veteran's Place. He has been pounding the pavement for the last many years to make Veterans Place a reality. It's been his dream. I have met with him several times over the last couple of years. His dream is about to become a reality. To me it just doesn't seem fair to delay that over $60,000 whenever the City has been asked for millions and millions of dollars for development projects.

I am not sure that anybody could make the point that those development projects are any better than the one Mr. Singer has been pounding the pavement for. If you think that Mr. Singer is a big corporation, that is coming here to do this for profit purposes, go and talk to him. This is his dream. Frankly, I think that we should do the right thing and override the Mayor's veto.

Mr. Diven:

I will also be voting to override the Mayor's veto today. I think when Council passed this action to give this property to the veterans for a dollar it sent a strong clear message that we were Council with compassion. I think not only is it good financially for the City by taking property that is off the tax roles and get a group that will come in and develop it and put it back on the tax role. I think that's an important thing that we have to make sure people are aware of.

Once this project is complete these people will be paying taxes on a large group of 29 properties that have been off the tax role for a number of years. $60,000 is not a lot to make this happen. I am sure that over the next five or six years we will recoup that money that we are giving them a break in getting the construction up and running and getting this project going. That's the one end of it. Financially this is a smart and sound deal for City to make.

The other issue that I have with this project is the fact that it's a veteran's initiative. We have veterans who have worked hard and defended our country and put their life on the line to protect our way of life. What this project will do is help those veterans who are homeless make the transition and get back on solid ground and be a productive part of the community again.

I think we have an obligation to bend over backwards to make that happen. I think that this Council sent a clear message that we were willing to do that. I would encourage other members of Council to vote to override this veto because it's important that this work be done.

There has been talk about we are setting a bad precedent. My feeling is if you bring a project in front of Council that benefits people and benefits the community and that is the grassroots way of taking advantage of some vacant City property, then we should be making votes to support those projects as well. I think that with all the development that the City has going on and all the millions of dollars for profit developments, here is 29 properties that are vacant that are off the tax roles, that are going to go for a greater good than just housing.

These are going to be properties that are going to be used to help people put their lives back together. People who have already sacrificed for this country and served this country. This is outrageous that we would be sitting here not being supportive or not being in a position to help or go the extra mile and making this happen.

I would like to encourage the rest of Council members to put aside all the details and look at the principle. The principle we have here is to make something great happen. I would hope that they would vote to override the Mayor's veto.

Mr. Hertzberg:

Thank you. Consistent with my vote on this bill originally I am going to be voting no to this override of this veto. It's not because I don't support veterans; I supported the veterans in a variety of different situations. I will continue to do that. I will continue to support a lot of other good organizations that are out there that are trying to do good things.

I think everyone that has changed this sale price and has ignored the fact that

Councilwoman McDonald has had a long history of involvement in this transaction and worked hard to put it together, the transaction is ready to go at a $60,000 sale price. She was very much involved with the negotiations that led to that sale price. It is a sale price that is already below the market value. If we are going to lower this to a dollar again, we have to take into account where is the money coming from? Where is the $60,000 coming from that is estimated that is needed to do this with?

We have fought for every cent, every single expenditure in our Operating Budget. It is an extremely tight Operating Budget. Our three taxing body operation right now is a break-even operation. How are we going to do this? How are we going to do other ones that come up? There are a lot of good causes that are out there. Veterans are one good one; there are a lot of good causes out there. If every one of them is going to be sold for a dollar the three taxing body set up is not going to work.

We are going to go have to come up with subsidies from our Operating Budget to do that. I am just not ready to start that kind of precedent. I also don't want people to forget the current delinquent taxes on this property are $190,000. It's being sold for 60, so there is already $130,000 loss that has been negotiated with the $60,000 sale price, not to mention the sale of the transaction.

Ms. McDonald:

First of all, I appreciate the compassion. This is a very difficult position to be arguing on a point in which Council wants to help a group do economic development. I can't even say it is economic development. Because we are really not going to see that much money come back into the City coffers as compared to our big department stores downtown, stadiums, etceteras. Those are moneymakers, and the TIFF as far as the TIFF's and all the arguments we have thrown out that money is going to come back. This is basically like a non-profit type of thing. We are talking about homeless veterans. We are talking just about free to subsidized housing for homeless veterans. So you cannot compare this project with Lazarus or anything else.

We are talking millions of dollars versus zero. Let's separate them out first of all. I appreciate the compassion, but with all do respect let's point out the hypocrisy is in this compassion. I don't know about the black veterans and what they got that property for. But I would bet they didn't get it for a dollar years ago. Did they get it for a dollar? No. They paid money for that.

Let's talk about all the other worthy community groups that also would like to acquire property. I talked to a woman just the other day who said you let me have some property for a dollar. If you let them, why can't I have property for a dollar? This is the type of argument that I am getting and it just is very hypocritical in our compassion and in this argument for compassion.

This Council body I have to commend all nine Council members and that means me. I think we are all quite compassionate. We are all very sensitive to wanting to do good for those who need our help. We have done it consistently but one thing is we are policy makers. We are legislators and the public cries for consistency in what we do. They cry for logic in what we do. We are mandated to provide both logic and consistency in our governing abilities.

This doesn't have logic or consistency. We haven't done it for other groups and are we going to do it for other groups? Where is the policy at to discern well which groups give the good breaks and which groups do we eat the cost for and which groups have to pay our costs? How are we going to decide that? When is that going to happen?

I can tell you in consistency and logic goes fairness. We have to be fair to everybody. We have to be fair to every group that comes before us with a worthy cause. We do already have a policy of fairness that has been worked out by these very groups. I suggest that this Council body follow what has been I would say affirmed. We're very helter skelter and I don't think this is prudent. I think it's going to come back at us in one way or another. You're going to have one group say well why us, why not them, and we are also operating a vacuum.

You know this whole veterans things, this is not a veterans issue. This is not a veterans issue. I don't know what issue this turned out to be. I can tell you this; I am really disappointed that we would have involved Veteran's Place a worthy project with this type of discussion. It's not fair to them. I don't think they really meant to be on the floor of all of our discussions. It is not fair to them. They wanted to quietly make affordable housing for homeless veterans. Look what we have done with one suggestion. With one suggestion at our Standing Committee where there has been no lobbying from the veterans groups, no lobbying from Mr. Singer, no lobbying from Federal officials. I didn't get a phone call from Congressman Coyne saying please give these people this for a dollar. No one has lobbied. But one suggestion that felt good, we have now caused a lot of dissention for a worthy project.

It is not fair to them. Also to hit upon hypocrisy as Councilman Hertzberg alluded to, during our deliberations on the Operating Budget, we looked for every nickel and dime we could get to make things work because our pot is shrinking. We had suggestions of raising taxes, which we did raise the parking tax to increase revenues. We are constantly looking for new resources of revenue. We do not have the money to give away any more; this is not the good old days. This is 1998 and things are very tight.

As we talked about raising taxes and the need to make sure we don't give away our revenue we are doing this. When other groups have at least paid our cost. Actually they are going to be getting the property for just about free. Because as far as the in kind services or the labor that is involved in making this transaction happen we are giving the money away. We are already eating the cost.

To make matters even worse is we talked about we need money in our coffers, people need to pay for services rendered and we don't need to -- if somebody does something they have to pay for it. We talked about garbage fees, parking tax increases, now we are giving money away. Why, because it is a veterans group? No, it's a good group.

It's a veterans group but they want to provide shelter for the homeless. Let's get off the veteran's issue all together. Because I think this falls into the same category as other worthy groups. When there was a grant that was worked on by Representative Readshaw, we jumped on that for Phyllis Park didn't we because we didn't want to

lose that money. In fact it was said at the table, we don't give money back. If there is Federal money, State money, we take it. This is Federal money, the $60,000. There is a whole chunk of thousands or million point seven dollars coming from the Federal government. What are we doing, giving it back? We didn't give it back for Phyllis Park, but we are giving it back now. Someone clue me in on the logic that is going on here, because I am not getting it.

Finally the Hennigan letter, I think was the one spark that made people say oh that's it, we are giving it for a dollar. You know it, Dan. If there was any inkling that people would change their minds and say oh go ahead they worked out the details, we are already eating $130,000 so they get $60,000 from the Federal government. We will take that. It will pay for some of the stuff that we do for this transaction. If there was any inkling of people going along with that, it changed because of the Hennigan letter, because people got ticked off at the tone of the letter.

Well the tone wasn't all that fine and dandy. I can see people getting ticked off. But we really do have to get off the emotional part and just realize that we are a legislative body. If you can't take the heat, get out of the kitchen. If you are going to be that sensitive and that thin skinned, then stop what you are doing right now. Stop it. You have to be able to take the heat, take the hits, take a little bit of the sting that people have. I have gotten yelled at before and I have yelled at people. Try to get to the content.

The content is we do have to be consistent, logical as well as compassionate in our policy making. I would urge you all to forget about the Mayor's veto. I know that doesn't feel good. But I don't look at this as a win/lose battle. I consider this as let's think about our over all strategy for community development, that's what I look at it as. I don't care if the Mayor vetoed it or not, I am just sorry it got to that point. I am very sorry it got to that point. But I don't consider this a power play or a wee wee contest at all. I just consider this good old fashioned, good government, where people can see well in hindsight maybe we do need to look at the overall picture, no it is not a veterans issue. Yes we have already eaten the cost.

Let's just go with this. Thank you.

Mr. Onorato:

I have to agree on one issue with the Councilwoman and that is I think all nine of us have been very supportive of veterans groups. I think all nine of us continue to do that. This really isn't a vote up or down for veterans. I would never accuse my colleagues regardless of how they are voting that they would be anti-veteran here because I know that's not the case.

As for being sensitive, I can say after six years my skin has definitely toughened up where I am probably numb now to any accusation that comes across either side of the hall. I don't even feel it anymore. But let me just say that goes both ways. If and when this particular bill, the veto is overridden or the 60 gets passed, I hope the other side of the hall isn't too sensitive to the vote.

Let me say that I am also going to vote to override the veto. I am going to vote to override the veto for a lot reasons. One, I believe that the $1 that we voted on, the majority of us is actually good public policy. I am going to remove the emotion from it

and remove the use. At this point I believe it is good public policy because of what we are getting. Let's look at what we have. What we have right now are properties that are not on the tax role, properties that are just sitting there and crying out for development. We have a plan that was presented to us $60,000 was established somewhere along the way in the process and then eventually it gets to Council. As I stated before this Council is not a rubber stamp. Just because it comes to us in writing, doesn't mean we vote it up.

We debated, there was a suggestion put on the floor to make this a dollar based on the financing of the program and the majority of Council supported that suggestion. The reason I supported it is because of what we are going to do. Now, you are going to take properties not on the tax role, undeveloped properties or dilapidated properties, and in return they will now be on the tax role. They will be renovated and they will be providing service to homeless veterans.

I would sure hope to address Councilwoman McDonald's concern. Because I brought this issue up, I was told that all veterans, from all groups, from all races, from all nationalities will qualify to enter into this place. That would be black, whites, any religious affiliation whatever it might be qualifies to get into the homeless shelter or homeless facility. So that was stated on the record. I take them on their word that they will do that.

In addition, we can't ignore what we have been doing here, for my six years here on Council. I supported the Mayor for growing the City. I supported the development fund, I supported the tiff's and I still support the ones that we approved. I think they have been very successful and very aggressive. This is no different. Let's face it, we are not consistent. We do not have a ridged policy and we do take each case on its own merit. This is no different than when ALCOA came in front of us. This is no different than when Mr. Kosner came in front of us, it has to rise or fall on its own merits.

This particular deal as far as I am concerned at least five us were concerned that a one dollar purchase price was very fair and very beneficial to the City. For the residents in my district and the residents in the City because we represent all the residents. I think it is a win win for the taxpayers to give it for a dollar. Because we take a property that has been an eye sore and make it a productive property. A productive property on the cues and a productive property for the taxpayers because we get taxable property. I also think we are rewarding a good business plan.

I stated last week and I will state it again, I would hope that we don't ever get to the situation we have rigid and consistent rules where we can't be flexible. If someone comes to my district and I have a lot of dilapidated properties that we own with the three taxing bodies, with a good plan, I would be more than happy to have legislative to give it to them for a dollar if the plan makes sense. If they have the financing in place, we should do it.

I just want to point out another example that are inconsistency but this Council made a decision and I voted no actually on this one, but I lost on the outcome. Even when we debated, you guys are going to cringe when I bring it up, but even when we debated the Crown Communication Towers. We gave property

for ninety-nine years for one buck in Hershel Park because he promised to build a park for us. We, at least the majority of this Council, felt that there was a benefit for giving that land for ninety-nine years for a dollar because we were getting something for it. This is no different. We are giving it for a dollar because we are receiving something in return as a municipality. We are receiving the benefits that I just described earlier.

I would also like to point out the analogy with Phyllis Park. We should also be careful to note that this Council threw in $400,000 to keep the million from the state. I will be more than happy, and I said this before, either sell it for a dollar or let's throw $60,000 in as a grant and give it to the homeless veterans group. They can use that sixty to give it right back to us. We just cut out the middle step of transferring the dollars back and forth. We are saying instead of a grant, we will just give it to you for a dollar. So, really we are giving them a grant, which we do every budget season for a lot of different causes, hundreds of different causes that are good causes. The veterans group being one of those good causes. This is no different; it is just that it is not coming up during the budget season.

I would hope that we get one more vote today to override the veto so we don't head into a steal mate situation which would be the worst case scenario but let me make it clear. I will not be pressured into changing my mind. I believe that a dollar is fair, if this goes five/four, and we get stuck at a veto again, I will consistently put my vote for one dollar. I think this is fair, I think it is consistent with individual projects that come forward that we judge on its own merits. I think it is a benefit to the City of Pittsburgh. I don't understand why we got to this point with the Hennigan letter or even with the veto letter. This is not a slap at any one individual. This is, I guess, an honest disagreement on public policy. But as far as I am concerned, I am not convinced why this would be $60,000 purchase price when we are getting such an enormous benefit and helping them out by giving them a $60,000 grant and getting these buildings up and running.

I would hope that somebody would change their mind today and vote to override the veto and let's move onto more important and bigger subjects at this point, and award this good project for the one dollar of which we think would benefit us.

Mr. Ricciardi:

Thank you, Mr. President. Mr. President, I understand the passion and the emotion on both sides of this issue. However, I don't believe that this is a vote regarding a veterans issue. This is a vote really regarding the policy we have here in the City of Pittsburgh on property transactions. My concern is that we have the potential here of under minding the three taxing body regulations and setting a policy or a precedent that will come back to haunt us.

Let me give you a perfect example. Next week, colleagues, I will be sponsoring legislation transferring City property to a pastor. Currently there is as pastor on Arlington Avenue in my Councilmatic district, who has been very very successful in his church and he would like to expand. Where they would like to build a new church is in the Mount Oliver neighborhood and to minister not only to Mt. Oliver, the Mount Oliver neighborhood and also to Saint Clair Village. They have been

negotiating with the City of Pittsburgh and I think the price is going to be somewhere under $10,000. So in effect if we give this property up to a dollar, why not the pastor from Arlington Avenue? Why would we charge him upward to $10,000 because what he wants to do is also public good?

He wants to build a church. He wants to minister to the three neighborhoods, so where do we stop? Really, let's take it beyond the public good; just take an average taxpayer. Because I think Councilman Hertzberg is bringing up a very good point regarding forgiving the $130,000 in liens. When you forgive something that money was picked up, that subsidy was picked up somewhere. Because services still were delivered here in the City of Pittsburgh so other taxpayers were making up for those that were not paying their taxes.

So in effect let's talk about just the average taxpayer who wants the side yard. Just the average taxpayer who is buying a peace of property who is going to put it back on the roles even if it is only for his own private family resources are good. Why not forgive everything? Why not just open up the entire City and say everything is available for a buck? Everything is available for a dollar. Let's do a lottery system and see who wins.

I think we have a policy that really has not been questioned often in the past and it should stand. But I think Councilwoman McDonald brings up a very good point and that is that the negotiations were going fine before we started talking about the $1. It appears that the people that were involved in this very fine program, this very fine project regarding the veterans, they were willing to pay the $60,000 the way I understand this.

So, I would just end by saying I think the regulations are in place regarding the three taxing bodies. As people know, we are the stewards of that policy, you know money does go to the school board and it also goes to Allegheny County. In effect if we bring it down to a dollar, then I will be coming for it also, and hopefully have the support for our very fine pastor. Why should he pay? Also, any constituent throughout the City of Pittsburgh and especially in my Councilmatic district, I am not going to be willing to charge them $350 for a side yard. I think that is a public good if they take it and they are willing to put it back on the tax role and maintain it.

In effect I will be voting to sustain the veto. Also showing respect and discretion to the host community. It appears that the host community was, I didn't receive any letters from community groups and the Councilwoman, I am sure she has done a very fine job. I would have to really follow her lead on this. I am sure she has put in some hard work and she understands the issue much better than I do south of the rivers. Thank you.

Mr. Udin:

Thank you, Mr. President. First of all my condolences go out to the listening audience who must be trying to figure out what is the point of this debate. It's not a debate about whether or not we support a homeless program for veterans; we voted nine to zero in support of that.

As the Finance Chairman and a person who is very aware of the tight constraints on the budget, I voted against selling the property for a dollar. Another reason I voted against selling the property for a dollar was indifferences to the

Councilwoman who represents the district. The proposal to sell the property for a dollar did not come from the developers or Mr. Singer or the veterans group, it was an idea created at Council table. So I had no difficulty in voting not to sell it for a dollar.

So what is the issue today? The issue I think has changed. Last week or two weeks ago when we voted for this it was whether or not we supported this project and supported Councilwoman McDonald in proposing the project. I voted with Councilwoman McDonald. But we lost that vote, five to four. Now the issue has become whether or not Council has the authority to decide that it will sponsor a particular project by transferring the property for a dollar. We are very likely to be faced with a proposal soon, colleagues, for the sale of the Convention Center for a dollar. We may soon be faced with a proposal to sell Three Rivers Stadium to the Rooney's for a dollar. That is not a new concept.

The administration has decided to veto Council's decision and therefore, in my opinion, Council's judgement and authority to make a decision to transfer the property for dollar. I think it's important to uphold Council's authority to transfer that property and with deference still to the Councilwoman who's district this property lies in, I still think that that is important.

I will be voting to override the Mayor's veto for the reasons that I have already stated. Thank you.

Ms. McDonald:

I was going to suggest after Councilman Dan Onorato had made his statement and one thing he brought up that I forgot to bring up. Anytime a Council person in their districts work with a project to make sure that it is fair -- that it is fair, period, acrossed the City. We should not operate in a vacuum according to districts and there are times to be parochial and there are many more times not to be parochial.

But again, in trying not to operate in a vacuum, not to feed into some power play but to do what is I would say sensible, that is fair, that is compassionate, etceteras, etceteras, but not operating in a vacuum. Oh, I don't like the fact that the Mayor vetoed or I don't like what such and such said. I don't care. I am still going to get past all that, swim through all that baloney and get to making a sensible decision. I will continue to pride myself on making sensible decisions, decisions that make sense. But again we have a policy in place.

One way that could have been worked out is let the property go for $60,000 to be consistent with our policy for other groups. Let the City of Pittsburgh administration and myself work with this group in order to allow them at least some kind of leniency or whatever in kind services. Maybe in infrastructure, maybe there are other arenas that they can benefit not necessarily with $60,000 in cash, but maybe $60,000 worth of services or whatever that they otherwise would have had to pay and maybe they don't have to. Now that is something that would make sense. If there is that type of compassion, and then I will force the administration and work with them to ensure that this group gets a little bit of a break. That they pay the $60,000 but as a compromise here to be able to work with them for in kind services. It's done all the time with the big boys as Councilman Ferlo had said.

I agree it is time to work with the small guys too. It can be done without compromising, jeopardizing our standing and our affirming and going along with our existing policy that certainly would not cause any other community group to come forward and say I want it for a dollar. Be consistent and at the same time allow them, me the respect and the trust to be able to work with the administration and allowing this group to get a break.

I really wish that instead of all this political baloney that has gone on and all the rhetoric that we would have just said call me on the phone. Say, Councilwoman, I really support the veterans, I really wish the administration would work to cut them a little more break than that. Simple phone call but I see that we don't like to do things that way.

The Chair:

I would like to bring it back to center. I think just for the general public and the media, I hope the real attention of what is going on here is not just our half hour discussion about the 60,000 or $1. But I had my wife there Sunday, we looked at that property and it really is the gateway if you are coming from the river up Washington Boulevard to the Homewood Brushton area, East Liberty and Point Breeze, Shady Side.

It's a magnificent entrance and this was a tremendous opportunity with what the veterans are doing there. All this half-hour discussion, no matter how you vote I don't want to lose site of all the work you have done, Ms. McDonald. The administration, and especially Mr. Singer in bringing this facility for homeless vets in a property that I don't think anyone would want to live, a family setting because it's almost a highway now Washington Boulevard. So that has been an eye sore for many many years.

I want to commend you and everyone involved. I think all Council agrees let's make sure for argument sake that we are supporting the initiative. There is a small debate over $60,000. But we are all supporting the thing and hopefully it breaks ground next week, one way or the another. So, I would ask for a roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Onorato
Mr. Udin	Mr. O'Connor (Pres't)

(Mr. Hertzberg, Ms. McDonald, and Mr. Ricciardi voted noe.)

Mayor's veto is overridden. It will be sold for a $1. We urge Mr. Hennigan, I will send a strong message to him that maybe his letter started some of this that he certainly find the ways to put this through as soon as possible so that we don't have any delays in this outstanding project that we all support.

The Chair:

Still on unfinished business.

Mr. Ferlo you brought up last week concerning the Plan B briefing and Mr. Ricciardi brought some issues up. I have spoken with the Mayor and we are setting biweekly meetings to have briefings with Council. We will have our first meeting next Thursday, that's April 9 at 9:00

in the Mayor's Conference Room. All nine Council members will be there together for the briefing. If you can't make it, hopefully one of your staff people will be there. That means it is open to the media. We don't have any questions on that and that will be a biweekly meeting and a briefing on where Plan B is on the drawing board.

In between those two weeks, I don't know if we can, if anything urgent comes up if he can brief us or send us a memo, we would appreciate that.

Mr. Ferlo:

Thank you Mr. President.

REPORTS OF COMMITTEES

The Chair:

Go to report of committees.

MR. UDIN PRESENTED:

Bill No. 287:

Report of the Committee on Finance and Budget for March 25, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 232:

Resolution authorizing the transfer of the aggregate amount of Fifteen Thousand Seven Hundred Thirty Five Dollars ($15,735) within various accounts in the Bureau of Emergency Medical Services. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 233:

Resolution authorizing the transfer of the aggregate amount of One Hundred Ten Thousand Dollars ($110,000) within various accounts in the Bureau of Emergency Medical Services. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 234:

Resolution authorizing the transfer of Six Thousand Nine Hundred Seventy Dollars ($6,970.00) from within the Bureau of Emergency Medical Services. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No.235:

Resolution authorizing the transfer of Five Thousand Six Hundred Twenty Three Dollars ($5,623.00) from within the Bureau of Emergency Medical Services from Fund 2464, Org. No. 220000, Account 581140, Subclass 600, Budget Year 1998 to Org. No. 220000, Account 542700, Fund 1000, Subclass 120, Budget Year 1998, Bureau of Emergency Medical Services. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 237:

Resolution requesting permission to periodically transfer funds from Emergency Medical Services Reimbursed Events Trust Fund (EMSRETF) to Emergency Medical Services Trust Fund (EMSTF) for salary and premium pay for EMS paramedics, crew chiefs and supervisors. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 246:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A)232-236-344 & 248 Mayflower Street, 12th Ward, Block 125A, Lots 208-210-213 & 215, $3,000.00. Being sold to Stagno's Bakery Inc. Two structures and two vacant lots containing a combined area of 9,598 sq. ft. Intended Use: Demolish structures and use lots for expansion of business. (Council District 9).

Which was read.

Also,

Bill No. 260:

Resolution authorizing the Citizen's Police Review Board to enter into a contract for the hiring of counsel and consultants to assist in the representation of the Citizen's Police Review Board at a cost not to exceed $30,000.00.

Which was read.

Also,

Bill No. 261:

Resolution authorizing the Citizens Police Review Board and the City's Director of the Department of General Services to enter into a lease agreement for the leasing of the board's office premises. For a term of two (2) years at a cost not to exceed $74,008.08.

Which was read.

Also,

Bill No. 262:

Resolution amending and supplementing Resolution No. 838, effective January 1, 1998, entitled, "Resolution adopting and approving the 1998 Capital Budget and the 1998 Community Development Block Grant Program and approving the 1998 through 2003 Capital Improvement Program," by making various corrections.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

All the bills having received, the legally required number of votes, are passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 288:

Report of the Committee on Housing Economic Development and Promotion, for March 25, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 243:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $6,000,000.00 for the LTV Site (Council District 3). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

The Chair:

You have heard the reading and title of the bill any discussion on the bill? Bill is now ready for final action, all in favor of the passage of the bills, vote aye when your names are called. All those opposed, vote noe.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

The bill having received the legally required number of votes is passed finally.

MR. DIVEN PRESENTED:

Bill No. 289:

Report of the Committee on Public Safety for March 25, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 240:

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase and installation of a Fire Arms Training Simulator (FATS) and related accessories, for the Bureau of Police, and providing for the payment thereof, cost not exceed One Hundred Ten Thousand

Dollars ($110,000) chargeable to and payable from LLEBG Trust Fund, Fund 2445, Org. No. 230000, Subclass 600, Account 542700, Budget Year 1998, Bureau of Police.

Which was read.

Also,

Bill No. 241:

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase and installation of a computerized police driving simulator for the Bureau of Police, and providing for the payment thereof, cost not to exceed $165,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote noe.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

All the bills having received the legally required number of votes are passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Udin:

Two things, Mr. President. One, I have asked the Clerk to convene and send around notices for an Executive Session to give Council an opportunity to be briefed by the Solicitors Office on the status of the law suit blocking the Duquesne light merger and reorganization. Some significant things have happened recently regarding decisions by the administration law judge in this case but it is necessary because obviously the legal sensitivities that it be done in Executive Session and April 7 at 9:00 a.m. is the time that has been reserved for that. I would request Council's support and presents at that Executive Session. I think it's important.

Secondly, I have asked for a Post Agenda. There have also been some significant developments in the telecommunications act and in the City's motions to hire a consultant to move the City forward in developing broad policy not only around cable regulations but around other areas related to the telecommunications act. A Post Agenda has been requested for that. That date is also April 7 at 2:00 p.m. I would move and do so move for a televised Post Agenda on telecommunications act.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I would like to ask our Finance Chair, Mr. Udin, regarding his statement about a consultant being hired to do some of this work. Has legislation been presented from the administration or is that going to be generated from this body? If so is there anyone or any company in mind thus far?

Mr. Udin:

No. There has been a committee, as you know that Councilman Cohen and myself are members of that have been discussing the telecommunications act. Ever since the committee first began meeting, we knew that we needed someone very experienced in this highly complex and technical field to help develop and draft the City's policy and a policy that would come forward. But before we took any steps, I wanted to make sure that we had a Post Agenda and had a full discussion on Council and that is what will be presented at that time.

Mr. Cohen:

On that issue. I have been in discussions with the administration about the whole issue of the City of Pittsburgh's approach to telecommunications. However, I must say that prior to this morning I did not know anything about a Post Agenda Meeting. The administration did not notify me about that. Now I am finding out that we already have a Post Agenda that is scheduled. We need to work out our own situation here, I think, before we meet with the administration. So until today I did not know anything about this even though my committee is the telecommunication and General Services Committee.

The Chair:

I was under the impression you were calling the meeting. Is the administration calling the meeting?

Mr. Udin:

No, I was asking for the Post Agenda as a member of the committee. I agree that there should have been more communication with Councilman Cohen. Perhaps even I should have in addition more communication with Councilman Cohen myself, but communication is needed all around the board.

The Chair:

The meeting is set up for next Tuesday so that you and Mr. Cohen will hopefully get together and have an agenda for us.

Mr. Ferlo:

On another issue, there are a lot of issues involving this whole debate around telecommunications as Councilman Udin has eloquently spoken about in the past at various meetings, more so than just TCI and cable but lots of other issues. This may be not politically or administratively acceptable to the administration. But the code of ordinances as it relates to cable and lots of other communication issues are really pretty much under the legislative branch of government in terms of the way the City Cable Bureau has organized and Council's prerogative under re-negotiation of contracts with TCI or some other companies. It really is something that is in the legislative.

We have kind of acquiesced over the years to the administration maybe rightfully so to some extent. But I would hope that as Councilman Udin and others have spoken about earlier and at other meetings, we can be a little more assertive in terms of the number of issues. I personally think our former Director of General Services, who is an attorney, Director Miskovich, would be a great asset to this Council in helping us understand a lot of the complexity of the issues. Not only involving cable and that part of communications, but all the other issues that the Federal Act involves itself with.

So, I would ask that Mr. Cohen and Mr. Udin and folks that are working on this more directly would give some consideration. At least, for one, if I am going to be hiring some consultant with Council's money, I would ask that there be some kind of open process for people to review people's expertise. I am kind of tired of always voting for these out of town consultants. We have a lot of skill and talent in this City including the previous Director as it relates to the complexity of the act.

I have a secondary issue unless others want to discuss this.

The Chair:

Anything else on the cable? Just briefly, I think it is important that we have this meeting because you as an attorney in that field and Ms. Director Miskovich at the time were certainly on top of it. Now there is a change of the guard so you may want to review what Mr. Ferlo brought up and all of our concerns. We haven't had any follow up to this for awhile. The issues before you know it, it will be here for a new franchise and all those things. So, the timing is perfect to bring it out in the open.

Mr. Cohen:

I think that is fine. Mr. President, there is a whole host of issues out there. Only one of which is franchise renewal which our deadline is October, 1999. We have not heard from the administration on what they're doing with respect to franchise renewal. We also need to wire our own buildings, our own government buildings. By wiring, I don't mean just getting cable service; I mean interactive two way service. So that we can have fiber optics laid to be able to connect not just our own City government building, but our schools and our libraries, and our police stations and our fire stations. There are a whole host of issues that is for sure and they need to be discussed.

The Chair:

I hope you and Mr. Udin have an agenda for us. We only have the ability to discuss it, but the follow up, that is something that is always out there.

Mr. Ferlo:

I wanted to respectfully ask my colleagues to support sending a letter of inquiry to our City Solicitor, to Director Hennigan from Finance and Budget and to possibly Mr. Lowe even though he is a Director of the Housing Authority in the past. He's worked extensively on the issue of community reinvestment act.

I was watching television last night and maybe I am the only one that fell off their chair, maybe my colleagues and the public did, but we are hosting this week I guess an annual stockholders meeting for

National City Bank. I am a card-carrying member of National City Bank. I have a Visa and a Mac card as well a home repair loan. So I get to talk a little bit as a customer consumer as National City Bank.

But I was floored and fell off my chair last night because I think it was on Channel two a high ranking banking official from National City referred to people who use their ATM machine as get this, transaction terrorists. I have never heard that phrase before, but the thought -- maybe nobody else is offended by it but the thought that this banking community which really represents at best a monopoly in the state of Pennsylvania. Basically three major banks have created over half of a decade and have swayed customers and consumers pretty much into having to use ATM or Mac cards or whatever you want to call them with the elimination of tellers and change of hours.

They created the system in which all of us is banking customers and consumers frequently utilize whether at the supermarket, the pharmacy, or down there on Grant Street at their bank or over at Oxford. To refer to their own customers as transaction terrorists because we chose to use the card. Whether daily or weekly or the convenience late at night when you go into a supermarket, maybe I am missing something here, but I thought that was the height of not only irresponsibility from the point of view from their own consumer re pore with their own customers, but it is just outrageous that he would make that kind of statement.

I want to know and I would ask respectfully if we could send a letter regarding this community reinvestment act with the specific focus on whether or not in addition to under the CRA evaluating banks performance as it relates to lending and the community be commercial or residential, whether or not we can also under that act look at the consumer practices of the banking community here in the City? And whether or not we can make that part of the annual evaluation of the banks.

Because maybe we need to start using the buying power that we have in the City of Pittsburgh and the 5,000 plus authority employees that we have City and authority to try to begin to change the policy. We should not be having to pay a dollar per transaction for the Mac card on each end, both when you use the host bank or whether at a supermarket and it happens to be another bank. Maybe I am the only one offended by this, but I know Senator Bodak has introduced some legislation that unfortunately a republican said it, so I don't know if they are going to agree to it. The banking industry in Pennsylvania is probably other than maybe one of the hospital associations is probably the most powerful and influential lobbying groups in Harrisburg.

But I would like to respectfully and I will draft a letter and I would ask Council members to consider signing it and ask for an inquiry about the CRA Act and whether or not we can explore ways to make the CRA community reinvestment act proviso under the code of ordinances? Also take into consideration the banking consumer practices of our local banks.

The Chair:

Do you also want to make a request maybe to find a way to define the word terrorists or whatever they were? Maybe there was a misquote or misunderstanding. Ask for an explanation.

Mr. Ferlo:

No, I heard him clearly. He is referring to his own customers let alone the general public. It was almost like he was browbeating us because we are using the Mac card and he has the gall to refer to us as transaction terrorists. Maybe I am the only one flabbergasted, but I think it is offensive.

Mr. Onorato:

On a different issue. I just want to make a comment about Capital Assets. I am not going to talk about the bill that was introduced, but I do want to make a few brief comments. A few people that have called my office today and I know all of us have been swarmed with calls. I want to thank the Prothonotary's Office and the Department of Finance, our Department of Finance. The people who have called my office today have been very helpful in those two offices and walking them through the system and finding out if there has been any liens or not.

In addition, I really want to thank Mr. Ron Pferdehirt from our Law Department. This is one of the few legal opinions that I can recall as a Councilman that it wasn't fuzzy. It wasn't gray. He actually made a statement. He came out and put on here that Capital Assets cannot require payment in advance. It was very definite based on the law and I want to thank him for that. I know there is a lot of political ramifications and different issues people have to look at before you put something in writing. But it really added a lot of credibility to what we were trying to say here. When it comes from the Law Department and it still amazes me that even with this memo this is getting very little play in the media.

Because all that I can recall if my colleagues can remember, when TCI charged the Encore fee and then said we will take it off if you don't want it. This place was in an uproar; this community and the media lead it. For some reason this is a hard issue to get out there. I have a legal opinion from our Law Department that says what they are doing is wrong and we are lucky we get a blurb on the electronic media or in the written media.

I sure hope this isn't a case because there happens to be a celebrity associated with them. Because this isn't about an individual, this is about a company that has an improper billing practice. For the people listening in the City of Pittsburgh, the residents, what I would ask you to do calling my office at a minimal, whatever bill you get please work with the Prothonotary's Office by phone if you do not have a lien, do not pay that processing fee. You can deduct that from your bill, legally you can deduct it. Do not pay the processing fee if you do not have a lien. A few more phone calls but I would try to do that first.

Because what Capital Assets is doing is improper billing. We will deal with that issue tomorrow but I would hope that Capital Assets, they called my office this morning, all they have to do is just say we are going to remove the processing fee and only bill individuals that have a lien. If they refuse to do that, I would hope that we take the appropriate legal actions because I think we are on strong legal ground and we will probably win this issue.

So, for the residents who are asking us what should I do, what should I do? At a minimum I would not pay that processing fee until I called the Prothonotary's Office and see if you have a lien and hopefully

tomorrow we have a better answer for you.

The Chair:

On that subject we just got a note it was slipped to me that tomorrow is April 1st, the deadline for foreclosures. They said if you have received a foreclosure notice, or a notice was posted, you need to get a hold of Capital Assets right of way before April 1st. But as you said, Mr. Onorato, but if you haven't received a minor -- those bills that we are discussing whether they be $2 or $25 they said to hold those and I think a lot will come out in your discussions tomorrow.

Mr. Hertzberg:

On the same topic. I also commend Ron Pferdehirt for his excellent opinion. It's crystal clear now that Capital Assets cannot bill people for liens that haven't be liened. I don't know that people calling the Prothonotary will necessarily be able to find out over the phone the information. Although I do know if they personally visit the Prothonotary's Office they will be assisted there in determining whether there actually is or isn't a lien filed.

With that opinion I think we have the authority to just make it a City resolution or ordinance that says they can't bill. Whether that is ultimately what the bill turns into --

The Chair:

The bill is tomorrow. Any more discussion on this?

Mr. Ferlo:

Regardless of the bill, I will support anything. I didn't vote for the damn thing in the first place. But we are talking about people breaking the law. There must be a contract already in place between administration and Capital Assets. I appreciate the good work that my colleague is doing but we are talking about the law here, state statute. We are talking about a contract that was executed by the Murphy administration and somebody is working over there, can they intervene on this issue? I am all willing to vote for the bill and take the correction action.

But we are talking about a law being broken and we are talking about a violation of a contract that the Murphy administration and Capital Assets participated in and signed. So to me it's a contract violation as well as a violation of state statute.

Why do we always have to keep reintroducing new laws?

The Chair:

I think you're right and Mr. Onorato has addressed it that they will be here at the table tomorrow, the administration, we need final answers.

Mr. Onorato:

I think Mr. Ferlo is going to the issue that there is just eerie silence out there. No one is standing up screaming that this company is breaking the law based on the Mayor's legal opinion. Let's do something.

The Chair:

Let's require our Law Department to be at the table tomorrow.

Mr. Onorato:

They will be there; I talked to the

solicitor yesterday.

Mr. Cohen:

Also tomorrow, I appreciate Councilman Onorato's leadership on this issue. One issue is if they don't have a lien they shouldn't have to pay the fines and costs that are attached to it. But there is another issue. I won't discuss it today I will just reference it today and that is for people who have liens of nominal amounts, say less than $5, should they have to pay $40 and above for their fines and costs. I am getting a lot of those and I am sure you are too. We need to discuss both of those issues tomorrow.

The Chair:

I believe we are all -- anything under a $100 or one bill of $50 should not be -- pay the fine and that's it. Especially when your are not billed. I think everyone has agreed to that. It is just we are going to need our Legal Department to work it out.

Mr. Ferlo:

The Solicitor also has to be responsible for the extra execution of contract. Every City contract I have ever seen or read has a specific caveat regarding awarding contract company must be in compliance with all applicable State and Federal statutes. In this case, I believe the legal opinion is based on state law. Somebody should enforce the City contract, football player or no football player.

The Chair:

We will address that tomorrow. I have three issues I would like to cover. One very quickly. Street cleaning I want to remind everybody starts tomorrow across the City. Let's make sure we are parked right and we don't need to get a lot of people tickets.

I received a call Thursday in fact I think Mr. Cohen may have received the same call, we were working together on it. My staff asked me to take the call from an aunt whose niece was in a home for pregnant women in Shady Side. She was complaining about the conditions of this building. Usually when you get complaints you think they maybe over exaggerated a little bit. So my staff all day Friday called the Health Department to try to help this woman. We talked to at least four people, got the run around, got no results. Monday I heard from my staff that we didn't get much, we weren't getting very far to help this woman.

But to the credit of Investigator Reporter Andy Sheehan I saw last night that he has a lot more clout than maybe we do. He had a report last night on the horrible conditions of this home. I wouldn't have believed it if I didn't see it; he had the cameras there and showed. No one should be living in those conditions. This landlord or whoever she was getting state or Federal money to have people in this condition and actually threatening the young mothers that they would take the baby away. So I was horrified to see what I saw.

I want to commend Channel Two for doing this. But also I want to reprimand the Health Department. This had better not continue if these conditions are out there and they receive constituents complaints. Someone has to get out and see these conditions immediately. It should not take a Councilman or Council President to make a call and then that goes on deaf ears.

So I am sending a message to the Health Department and I am very concerned about their actions in this incident and there may be more out there like that. So we cannot tolerate that in this City, they are paid. We pay a lot of taxes for them to protect the residents. I expect much better results when we get these calls again.

Mr. Onorato:

On that point, Mr. President, I am glad you brought that up. If you recall about two years ago, we had the same problem with the personal care homes. The issue was we couldn't get the state to inspect them. But what I would also ask, if we could also, our Zoning Board and the Planning Commission along with BBI if they grant a special exception or variance for these types of uses and we find out there is a violation, special exceptions can be repealed. We have got to take this very seriously. Everyone knows once you get an approval with the Zoning Board. It is like never worry about looking back because it will never ever be repealed.

I think we should take that very seriously if we don't have enough inspectors of our own, we should hire more and remove these. Because they become a problem in the neighborhoods if they are not properly run and then we look like the bad guys because we are fighting a so-called good cause.

But your point is well taken and I would hope that we will continue to do the inspections. With those personal care homes, we actually had legislation that required unannounced inspections of personal care homes. We probably should expand it to those types of facilities.

The Chair:

Any type of facilities and I expect a letter from the Health Department results that when constituents and how they are handled and they are handled much better.

This is another issue with the Health Department. I read in today's paper that LTV is facing multi million dollars fines. As much as 27,500 a day for the admissions in Hazelwood and the pollution in Hazelwood. Back in 1994 LTV paid and our county fined them $900,000 in fines. I had a meeting in my office that said X amount of dollars, some money will go to that neighborhood because they are the ones that suffered. Not one cent out of that $900,000 has gone to Hazelwood. We wanted money to help a library; it wasn't any pet projects. We felt we deserved it. They have been living with this problem for many many years.

I am reading now that there is under the clean air act there is a beneficiary mitigation project that they should be eligible for at least $100,000. I would hope I get all your support and again send a message to the Health Department and the county who monitors these fines. In this case the Justice Department that that money, part of that money deserves to stay in the neighborhood who has suffered through many many years of the pollution problems that we have had.

Anything else under unfinished business? There will be a group photo tomorrow so let's all dress our best and our next meeting will not be next Tuesday, but because of the holidays, the meetings will be Monday and Tuesday.

Can I have a motion to accept the

minutes?

MS. MCDONALD moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. COHEN moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion made by Councilman Cohen, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *April 6, 1998* *No. 14*

Municipal Record

ONE-HUNDRED
THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Monday, April 6, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

We all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

With us today we have Kelsey Bechtell, she is six years old, in the first grade at Saint Mary's of the Mount Elementary School. She is accompanied by her mother and dad, Cheryl and Robert. She is in Councilman Hertzberg's District, District two.

Kelsey Bechtell:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Kelsey, we have a flag of our City and our country on behalf of myself and Council members. I would like to present it to you.

We have some special guests in the audience.

PRESENTATIONS

I have Central Catholic Viking hockey team. All please come up. We have Brother Larry Monroe the principal, Athletic Director Larry Michael Angelo, Kevin Zielmanski is the coach.

This is an honor and privilege to read this proclamation to our fellow Vikings. You did a great job and an outstanding year and I will read the proclamation.

MR. O'CONNOR PRESENTED:

No. 290 WHEREAS, Central Catholic High School, located in the City of Pittsburgh, has a long and storied history of academic and athletic excellence; and,

WHEREAS, the 1997-1998 Central Catholic High School Ice Hockey Team, the Vikings, on March 31st, carried on Central's winning tradition by pulling off a stunning 6-1 upset victory over the seven-time state champion Meadville team and, in doing so, became the Western Pennsylvania Ice Hockey Champions, winning the Class AAA Penguins Cup and advancing to the state championship game; and,

WHEREAS, The Central Catholic Vikings Ice Hockey Team, lead by Head Coach Kevin Zielmanski, and ably assisted by Tim Bosack and Dave Shondeck, coached an inspired and dedicated group of young men to a 26 - 4 - 3 record. The team also dedicated this season in memory of its number one fan, Bill Downey, Sr., father of Vikings forward and team captain Bill Downey, Jr., who passed away on January 19, 1998; and,

WHEREAS, the Central Catholic Ice Hockey team, Penguin Cup Champions are:

Justin Beachnau, Bernie Chmiel, John Dobos (Asst. Captain), Bill Downey (Captain), Matt Dugan, Rob Farrow, John Flora, Tom Freyvogel, Hugh Gallagher, Joe Grzandziel, Chris Hollihan (Asst. Captain), Chris Kaminski, Mike Leonardi, Kris Mayotte, Todd Meehan, Robert Mirek, Mike Mulock, Adam Schuster, Joe Szurley, Bryan Vrcic, Teague Willits-Kelley, Michael Zajko, and Bill Zuri (Manager).

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby extend to the Central Catholic Ice Hockey Vikings its congratulations on winning the Class AAA Penguin Cup and commends the team for its outstanding season, for you are all true champions, overcoming adversity and playing with great skill and courage; and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of the Vikings' achievement does hereby declare, Monday, April 6, 1998, to be "Central Catholic Vikings Ice Hockey Team Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Brother, I will bring you up here to introduce the team. Congratulations.

Brother Monroe:

Thank you very much for this honor. We are very proud at Central Catholic of our young men and the success they have had this year. The people who are really responsible for that success are the coaches and the players. At this time I would like to introduce our head coach, Kevin Zielmanski.

Mr. Zielmanski:

I would like to thank Bob O'Connor and City Council for having us down here for this day and recognizing the success, hard work and the achievements of our team. It has been a long season. Unfortunately it didn't end well yesterday, but there is nothing but pride coming from us in the school.

Mr. Michael Angelo:

I too would like to thank you for

inviting us down here to share this honor. I would like to also tell you that the boys are ecstatic for being here for a couple of reasons. Primarily because we are out of school right now and we don't have to be back right now.

Thank you very much and it's a great honor. We are very pleased to be here.

Mr. Downey:

I would like to thank City Council for inviting our team down here to give us this proclamation. On behalf of my teammates I would like to just thank them for a great year. We will be back next year to do the same thing. Thank you.

Mr. Ferlo:

Members of Council, I would like to bring our guests from the University of Pittsburgh forward, Dr. Brutus and guests please come forward. Councilman Udin and Councilwoman McDonald are cosponsoring this resolution.

We have Lee Kavuri here from the Kuntu Repertory Theater. He feels underdressed and that's partly my fault. Because I thought the meeting was going to be tomorrow instead of today. My apologies and we have Dr. Dennis Brutus here from the Department of Africana Studies, Professor of African Literature, who obviously many colleagues are aware of, and Joseph Ajai, Professor of History from the department.

On behalf of my colleagues Councilman Udin and Councilwoman McDonald I would like to read the following resolution and I will ask me colleague to hand these out.

MR. FERLO, MS. MCDONALD, AND MR. UDIN PRESENT:

No. 291 Whereas, Paul Robeson, son of a former slave rose to prominence when segregation was legal in the United States and African-Americans were being lynched regularly by white mobs;

Whereas, Paul Robeson's life of achievement in so many spheres made him one of this century's true Renaissance figures and a role model for youth and included an academic scholarship to Rutgers, football All-American, class valedictorian, Phi Beta Kappa, fifteen varsity letters in football, basketball, track and baseball, and credentials as a lawyer, author, and world renowned stage and screen actor and singer; and

Whereas, as Paul Robeson's political consciousness grew with the rise of fascism in Europe, he donated proceeds from his stage performances to Jewish refugees fleeing Hitler in 1933 and he traveled to Spain the next year to support the anti-fascist forces supporting the Abraham Lincoln Brigade; and

Whereas, in our country, Paul Robeson became an eloquent and influential spokesman speaking out against racism, discrimination and a supporter of the labor movement and was a member of many unions including Actor's Equity, the Marine Cooks and Stewards, the National Maritime Union, the Transport Worker's Union, and AFSCME; and

Whereas, because of his trade union advocacy, his Socialist beliefs and his outspoken opposition to racism and colonialism during the height of the McCarthy hysteria Paul Robeson had his

passport revoked for eight years until it was restored by the U. S. Supreme Court; and

Whereas, the persecution which Paul Robeson suffered during the McCarthy Era represents the types of actions the Constitution and the Bill of Rights were designed to prevent; Paul Robeson was denied this protection and sacrificed his fame and fortune and endured great personal hardship for his steadfast principles;

Now, therefore be it resolved that the Council of the City of Pittsburgh hereby joins with thousands of other individuals and groups, including the Congressional Black Caucus, in celebrating the 100th anniversary of the great Paul Robeson's birth observed on April 9th; and

Be it further resolved that the Council does hereby declare April 9th, 1998 as Paul Robeson Day in the City of Pittsburgh; and

Be it further resolved that the Council will continue to petition the U.S. Postal Service Citizen's Stamp Advisory Committee to designate a Centennial Stamp in 1998 in honor of the life time achievements of Paul Robeson.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Before I turn to my two colleagues, Councilman Udin and Councilwomen McDonald, for a few words and then our honored guests from the University of Pittsburgh who are here this morning. I first read the name Paul Robeson I think most Americans and unfortunately probably if we took a pool out there from even some of our scholars from Central Catholic High School. I think many young people especially to this day don't know who Paul Robeson was or what his contributions were. Part of it has to do with the historical preeminence of this figure living in the turn of the century and up until the early 50's.

So a lot of times we don't know about people that make a contribution just because they were several decades ago. But also in terms of the legacy of this gentleman it also has to do with the denial of so much of the history. In this case it happens to be an African American male. In many cases it can be prominent individuals from working class backgrounds who strive and make a historical contribution. But often times our history books deny and are very class biased against people who make a significant contribution. That's a shame. I would hope that that would begin to change.

I first read about the name Paul Robeson when I was actually doing some research on Sacko and Vincetti which are probably two other figures that a lot of people don't know. But the Paul Robeson had actually traveled to Boston to assist in the legal struggle that ensued at the turn of the century for these two Italian analysts at the time who really were tried and convicted and actually executed. If it were today it would be clear for forensic science and a lot of other things that they were being framed. That's indicative of the civil rights legacy of Mr. Robeson.

He is an international renowned figure and actually if you look at Paul Robeson under Yahoo on the internet, you

will see close to one hundred million different entries into the international web site about the contributions of Paul Robeson. It is interesting because they will be in German, Russian, Polish, Italian, Spanish, American and in English. It just kind of is a profile and is indicative of how this gentleman actually seems to be better known in countries outside the United States as opposed to our own country.

The goal of the tribute not only for the Birthday Celebration April 9th but the effort to have Paul Robeson's legacy be expressed on a centennial stamp, he is really part of the educational recapturing of our own history. Not only the history within the African American history but the history of the Labor movement, the history of the humanitarian movement that I think we can all be proud of in this country.

I am very pleased to have helped to author this resolution. Before I call on Professor Brutus from the University of Pittsburgh, I wanted to ask Councilwoman McDonald and Councilman Udin to say a few words.

Ms. McDonald:

I think Councilman Ferlo summed up much of what I would have to say as far as celebrating this historical figure. The one thing that I have always emphasized and I am glad that Central Catholic is here. When I was in Wilkinsburg Senior High School I competed very ferociously with Central Catholic and Forensics and debate, that was many moons ago. But I am glad that you all are here so that you would be able to see a celebration of a figure that many of us, many African Americans, do not know about.

I would say that I would continue efforts and I would urge all school districts to continue their efforts to not only just study the typical historical figures. We know about George Washington Carver, we all know about Martin Luther King. Let's start studying about the other figures that were shakers and movers internationally and right here in the United States and make them more relevant, more current.

It's appreciative that we understand all figures particularly African American historical figures that are often times studied during February, which is Black History Month. But throughout the year everyone, particularly students, right now need to be -- when they grow up in the high school environment and see to college, you need to understand who were all the shakers and movers that impacted upon your very lives that you may not know about. That may be extremely interesting when you pick up a book or anything and just really dig in and start reading.

So again I am glad you are here. I would urge all school districts, students, adults to learn more about all of our historical figures and particularly also to be interested in some of the political science areas of study. It's quite interesting as Councilman Ferlo had alluded to. Thank you very much.

Mr. Udin:

Thank you. I want to first of all thank Councilman Ferlo for taking the initiative and bringing this resolution forward. Relative to one of my childhood heroes the first voice I ever heard on a Victrola that my father had was Paul Robeson singing Old Man River. I never heard a more velvety smooth baritone than Paul Robeson. But later on I was to find out

that this voice was coming from a giant of a man. Not only was he a giant, physically but he was a giant in other ways as well.

Here is a man who managed to get 15 different letters, athletic letters, in all kinds of sport, track, football, baseball, basketball. He was such an all around athlete while at the same time being a Phi Beta Kappa scholar. Now, we know how difficult it is to maintain a 2.5 or 3.0 grade average while playing sports, sports send scholarship often compete in school. Here is a person who graduated magna cum laude while at the same time achieving 15 different athletic letters.

He was a superb opera singer and a superb Shakespearean actor. But on top of all that he had convection, he was an activist, he was a civil rights leader. He put all of his celebrity status on the line and sacrificed what could have otherwise been a major heroic celebrity light. He put it on the line for human rights and civil right struggles. They made him pay the price too. Because had he not been tortured by the hysteria of the McCarthy period. He would have been known to all of the students at Central Catholic and all the other high schools and grade schools, but he is still being pushed to the side as a shady historical figure because the shadow of the McCarthy era lives on even to today.

So thank you again, Councilman Ferlo, for bringing forward the memory of a giant Paul Robeson and thank you Professor Brutus for joining us today and accepting this resolution.

Dr. Brutus:

I would like to thank the City Council of the City of Pittsburgh. Particularly the Chairman, Councilman Bob O'Connor and the three sponsors of the resolution, Councilor Jim Ferlo, Councilor Sala Udin and Councilwomen Valerie McDonald for bringing forward this resolution to honor one of the greatest men that this country has produced. As an actor, as an artist, as an activist, Paul Robeson is a giant of this century and of this country.

He is known internationally as Councilor Ferlo pointed out known around the world, he's also an inspiration internationally. I first heard of him, read about him, heard his voice singing deeper than other spirituals when I was growing up in a ghetto in South Africa. He was one of my inspirations in confronting the racism of the partite system. So that I ended up in prison with people like Nelson Mondela, breaking rocks on Robin Island.

But he was one of my inspirations. He is internationally an inspiration as an athlete who heard about his achievements. As an actor he's regarded as the greatest Othello of all time. He played Othello on Broadway, he played in London, and he played acrossed the world.

He was an actor also made many films particularly the singing of Old Man River in Show Boat, the great movie which was referred to again this week in a documentary on public television which dealt with the life of Paul Robeson. We remember him particularly this week and particularly on April 9th because that will be the anniversary of his birth, the 100th Anniversary of his birth. That is why particularly we remember him.

You may find a lot of people turning up at the City Council Chambers tomorrow because I announced that there would be a

proclamation on Tuesday. I announced this at the community reconciliation of a memorial said service yesterday and the other places. Students have been very excited to hear that Paul Robeson is going to be honored. So don't be surprised if you have an influx tomorrow.

But what it really means is that this is a man that the United States, that all humanity should be proud of. This is a man of courage who confronted racism, confronted oppression, defied the powers that tried to silence him, had his passport taken way. It did not deter him. He stood for justice for all humanity. That is why we honor Paul Robeson. I thank you for this opportunity.

MR. COHEN PRESENTS:

No. 292 WHEREAS, to commemorate the State of Israel's 50th Anniversary, Israel Bonds is honoring a select group of individuals nationwide who have been true friends of Israel; and

WHEREAS, James C. Roddey will receive the State of Israel 50th Anniversary Award during our community's celebration of this monumental event; and

WHEREAS, since his arrival in Pittsburgh in 1978, James C. Roddey has become an integral part of Pittsburgh's business community, as Chairman of Star Cable Associates, President of the Bantry Group, a nationwide provider of specialized health services, President of Business Records Management, and Chairman of Production Masters, Inc.; and

WHEREAS, James C. Roddey is also a leader of our civic community, and is currently a board member of the University of Pittsburgh, UPMC Health System, the United Way, River City Brass Band, the Jewish Healthcare Foundation, Goodwill Industries, Sarah Scaife Foundation, the Enterprise Corporation of Pittsburgh and the Allegheny Conference on Community Development and is currently chairman of the Three Rivers Regatta, QED Communications, and Alcosan; and

WHEREAS, James C. Roddey has received awards for his dedicated community service from Vectors/Pittsburgh, the NAACP, Texas Christian University, Variety Club of Pittsburgh, Pittsburgh Post-Gazette, Anti-Defamation League of B'nai B'rith, St. Barnabus, Jewish National Fund, United Cerebral Palsy, LaRoche College, Salvation Army, Pittsburgh Blind Association and the Vocational Rehabilitation Center; and

WHEREAS, in recognition of his dedication to his adopted City of Pittsburgh and strong support for the State of Israel, James C. Roddey will be honored by the State of Israel Bonds at an Israeli Reception and Dinner on April 8, 1998, featuring internationally acclaimed Israeli entertainer Yael Sharabi.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks James C. Roddey for his exemplary leadership and commitment to the City of Pittsburgh and the State of Israel; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Wednesday, April 8, 1998, as "James C. Roddey Day" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

We will now move to Presentation of papers.

MR. HERTZBERG PRESENTED:

No. 293 Resolution Granting unto Donald F. and Virginia Martin of Ensign Avenue, Pittsburgh, Pa. their successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, an unpaved portion of Ensign Avenue, 18th Ward, 4th Council District, City of Pittsburgh.

No. 294 Resolution granting unto John Lauterbach of 402 Ormsby Avenue, his successors, and assigns, the privilege to construct, maintain and use at their own cost and expense, a one story structure and handicap ramp with stoop system, projecting 5 feet, 2 inches on the sidewalk and 13 feet, 8 inches wide, leaving an area of 8 feet, 6 inches, 16th Ward, 3rd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. RICCIARDI PRESENTED:

No. 295 Resolution providing for the filing of a petition/s for the sale of property acquired at tax sale in accordance with Act 171 of 1984, Second Class City Treasurer Sale and Collection Act. **(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 296 Resolution repealing forfeiting Resolution No. 688, Item C, effective November 7, 1997 and reinstating Resolution No. 99, Item E, effective March 13, 1996, which authorized the sale of a two story brick veneer house situated on a lot 37.42 x avg. 45.74 x 61.08, known as 7828 Bennett St., 13th Ward, Block 174 S, Lot 72.

No. 297 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

No. 298 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 299 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 300 Resolution Transferring the amount of $455,569 from Non-Departmental-Citywide Account, Fund 1000, Organization 999200, Sub Class 150, Budget Year 1997 to various accounts in the Department of General Services in order to make technical

corrections to the PeopleSoft Financial Reporting System.

No. 301 Resolution providing for the issuance of a warrant in the sum of $20,000.00 to Shawn Des Lauriers and Ryan Des Lauriers c/o Joel S. Sansone, Esquire, 2300 Lawyers Building, Pittsburgh, PA 15219, in full and final settlement of the action filed at C.A. 96-1032 alleging personal injury and false arrest at Three Rivers Stadium on or about May 31, 1994.

No. 302 Resolution providing for the issuance of a warrant in the sum of $12,000.00 to Ronald Deutsch c/o Fred A. Sproull, Esquire, Fort Pitt Commons Building, Suite LL500, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219, In full and final settlement of an action filed at CA 96-866.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Any unfinished business to come in front of Council? Hearing none, moving to Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 303:

Report of Committee on Finance and Budget for April 1, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 236:

Resolution authorizing the transfer of One Hundred Sixteen Thousand Dollars ($116,000) from Police Premium Pay to the Problem-Solving Partnership Trust Fund.) from Police Premium Pay Code Account 1443-4, Fund 1000, Subclass 020, Org. No. 230000, Account 516000, Budget Year 1998 to the Problem-Solving Partnership Trust Fund, Fund 2465, Subclass 600, Org. No. 230000, Account 581120, Budget Year 1998. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 263:

Resolution carrying over balances or portions thereof remaining in certain accounts for the Year 1997 to the same or to other accounts for the Year 1998. **(SPONSORED BY MR. UDIN).**

Which was read.

Also,

Bill No. 283:

Resolution Authorizing and directing the Finance Director and City Solicitor to instruct Capital Assets Research Corporation (CARC) to remove the lien satisfaction fee from all bills not involving a lien. **(SPONSORED BY MR. ONORATO)**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Obviously I am in support of the Resolution 283 regarding the issue of Capital Assets placing liens supposedly and charging for liens whether or not they were actually processed and actually incurred by way of a cost. This bill will take some corrective action.

It is unfortunate that we have to even pass this resolution which I am actually a little bit perplexed about. The administration signed a contract with this company. I don't understand why this isn't a violation of the contract with Capital Assets. Every contract I have ever seen in City Government has a general clause about the individual or in this case Capital Assets must comply with all relevant federal and state statutes.

I think it is clear from the Law Department that this practice of making a ratepayer, in this case a property owner, pay a fee that was not actually incurred by Capital Assets is a violation of state law. I don't understand why we have to do this resolution.

I am pleased that Councilman Onorato took the time to write it up. I don't understand why the administration, neither in the revenue nor the Finance Department or in the Law Department, isn't making sure that the contract is complied with. This practice is a violation of the state law. It shouldn't have to take a separate Council resolution to further create a second avenue or vehicle for the administration to make this company comply with the law. That is initially what they were obligated to do when they signed the contract.

So I am going to vote for it. I still don't understand and I still think we need corrective action. There was discussion last week by Councilman Onorato and other colleagues and there was a request at some point. There was an indication that the administration and Capital Assets would either wave or forgo or send a letter of apology out for those individuals who received a letter about their non-payment of bills dating back five, ten, twelve years. Some bills were even less than one dollar.

The less than one dollar amounts it seemed as though through some administrative process or mystically those bills were going to be forgiven or disappear and Capital Assets was going to send some letter out.

I still raise fundamentally the question of fairness and equity. If it is going to happen from somebody that has an eighty-three cent bill, why isn't it happening for somebody who has a $1.20 or $2.80 water and sewer bill? When we know that some of these bills date back in excess of five years and when we know that this Council for at least the ten years that I have been on it has through at least three mayors and three different revenue departments complained appropriately that bills were not accurate and that bills were questionable as it relates to past water and sewage accounts.

If an individual homeowner, these are our people, these are not scoff laws, these are not people that come into the City to rob, rape and pillage, these are our homeowners. These are the people that pay all the bills in the City, keep the lights on, keep the school districts working. In fact many of them don't even have kids in the school system anymore, or even had kids in the public school, maybe parochial or

private. These are our own people. These are like gold. We have to treat these people with respect. We have to keep these people in the City and we have to be fair.

Now I have a gentleman, just by way of an example, who has consistently paid his water and Alcosan bill. He is never late. For some reason involving over a decade ago he has a $1.83 payment which he probably was never even aware of. He says he got no notification. Now he gets a letter in addition to the less than one dollar for this additional processing fee of $35 to $40.

We are addressing to some extent this issue about the processing fee presumably under this resolution, but where is the sense of equity and justice?

I really think there is a strong legal issue here that homeowners and ratepayers have a leg to stand on. We are talking about bills that are really in dispute. Now, especially it is in dispute because they didn't even necessarily know that they owed this money from years and years if not more than a decade ago. For the PWSA or for the City Revenue Department to send basically these inappropriate lists to serve as the database for Capital Assets to then go into their processing and that kind of shake down game that they were playing over the last month, is outrage compounded by outrage.

So I am pleased to vote today. But I still don't believe we have restored the equity and some sense of justice on this whole problem. I will strongly suggest that we pass the bill today, but that we continue to explore this issue of the other amounts.

I had asked the Mr. Woodruff from Capital Assets he indicated last week that there were 2500 in the category, I believe, of less than one dollar that may have had a past water and sewage bill. I believe most of this is water and sewage bills not real estate. He indicated that there were about 943 homeowners that were in the $1 to $2 dispute. This is where they had a bill dating back many years of a $1.01 to $1.99. There were 1292 homeowners that were in this category of $2 to $5. There were 939 homeowners that were in the category of $5 to $10. There were 2763 homeowners that were in the category of $10 to $25, and 3178 that were in the category of $25 to $50.

Now I really believe that we should make these people whole if we can legally in terms of doing something that is equitable and fair. Especially since we have got an awful lot of money by selling the liens. To the credit of the administration, I think they wanted to take what they thought was the most prudent step in terms of getting money back from the City Treasury and letting an administrative nightmare be done by a sub-contractor as opposed to the bureaucracy of City government. But we have committed a wrong here and an injustice that really needs to be corrected.

It is partially being corrected by the resolution today, but I don't think it goes far enough. I would strongly suggest and I wanted to ask the Budget Office to work up a resolution for next week. If we make these individuals whole in terms of removing the amounts that really are in dispute and should be exonerated, and that we legally probably have to make Capital Assets whole because they actually paid us eighty cents on the dollar.

There is some dispute whether they did or did not make the processing lien fee or incurred the processing lien fee. So at the high level we are talking roughly

$250,000 that we would have to take out of the millions that we collected to restore some sense of justice and equity. On the low end it would be $115,000.

But we would be addressing another eight or nine thousand ratepayers where I think again these ratepayers are our people. These are not people that engaged in a hit and run. These are people that have owned homes and have always made good faith effort to pay their bills.

For a variety reasons, which I think are basically problems here in the billing collection system going back as far as I can remember in the Caliguiri administration. They did not get an accurate bill. In the subsequent billing year they were not notified that they had a preexisting payment that was being carried over. It could have been by the mortgage company. It could have been any number of things. But we should still work to restore some equity and justice in the actions that majority have taken in letting Capital Assets have this contract.

So I am going to vote for this today. But I would still come back next Tuesday with a separate authorizing resolution if nothing more than to get it back on the table. Thank you.

The Chair:

I believe, at least I interpreted the message I got from them was those people did not have to pay that. They were still addressing that issue, the 9,000 people you are talking about, almost ten are not liened, right?

Mr. Ferlo:

There are two things. One, Mr. Woodruff did not state that. In fact, when I asked Mr. Woodruff who will pay to make Capital Assets whole, it is not like Capital Assets is forgiving anything. They didn't occur any cost. So there is an opportunity the costs that they are giving out. They did at some point give us eight cents on a dollar. So even Mr. Woodruff indicated that he expects the City to make them whole some how. But that is probably going to be a few thousand dollars.

But no where did I hear Mr. Woodruff or Capital Assets make a commitment. Maybe I didn't hear correctly.

The Chair:

I was under the impression they were working a solution out with the administration. I presume that people would only have to pay $2 or $1.83 and not the whole amount.

Mr. Ferlo:

I did not hear that.

The Chair:

That is what I heard. Mr. Onorato can you follow up on that?

Mr. Onorato:

I think it is unfortunate because Mr. Ferlo has some good points. I think he's downplaying this bill too much. This bill is approximately about a million-dollar effect. A million dollars that Capital Assets is not going to collect now.

Let me explain again what this bill does and what Mr. Woodruff committed to

on the record in Council last week. The example that Mr. Ferlo brought forward, the gentleman that has the $1.80 on the water and sewage bill and they tacked on another $35 or $40 of a process fee, that $40 tack on is gone. That will be removed because there are no liens or 90% are not going to have liens on these small amounts.

So what's left on this gentleman's bill will be the $1.80 plus interest. So that might be another $6. So instead of having a $70 bill, the bill is really a $6, $7 bill. That is what they committed to. That is what this resolution requires them to do. More importantly in this resolution what is being missed, is the second section. If they don't do what they said they would do verbally at the last session, there is a section two that requires a class action lawsuit to be filed on behalf of all the taxpayers, which by the way somebody just did against the County over the weekend. I am sure it was triggered by what we did last week. A class action suit was filed.

So please don't underestimate the effect of this bill. If you take the 15,000, so-called 15,000 none liened customers and take the $50 or $45 or whatever number you use of the processing fee, that is going to be removed, it is well in excess of a million dollars of what their giving back at this point. They were going to basically bill and get a million dollars interest free loan. We stopped that.

Councilman Ferlo is correct that it's a shame that it took a resolution. The Law Department should have done that. But I do once again want to thank Ron Pferdehirt for giving a strong legal opinion which made this possible. Which said very clearly that Capital Assets cannot charge in advance. It is a violation of several state laws and that we have a right to do this.

Council has now taken action and that while we can deal with the other issues, should the $1.80 even be on the bill, let's not miss the point here that we have just helped 15,000 people eliminate 80 to 90% of a bill they just received. Please don't downplay that to the people listening. I don't want to confuse them. It is already confusing enough. They are getting a majority of their bill knocked off because of this resolution.

Now the issue that Mr. Ferlo brings up and we want to address. That is if we want to pick an arbitrary number and let's say $50 or less, and not collect. Then we have to add up the total of what the administration figured out what that cost was. We got 80 cents on the dollar and be willing to tap into the reserve of our dollars and pay it back to Capital Assets and just buy it back from them. That is what he is referring to and that is an option we have also.

From this point today, passing this -- please that gentleman listening who has a $1.80 prior sewage bill and your bill is showing $50, $60 your bill is going to be reduced to maybe $5 or $6 total. That is it. Don't pay it until you get the correction letter. That's what this resolution does. I think it goes a long way in correcting the inequities that were sent out last month.

The Chair:

Can I just follow up for the general public? I don't think Mr. Ferlo is saying that the gentleman who owes a $1.83, is happy to pay the $1.83, --

Mr. Onorato:

No, Mr. Ferlo is saying he wants to eliminate that also, I think in a separate resolution.

The Chair:

I don't know that he wants him to be charged $50 or $60 or more. Those people are going to be at least forgiven or on hold right now until they hear from Capital Assets.

Mr. Onorato:

They are going to get a correction bill without that processing fee.

The Chair:

The people who should worry though or who should be concerned are the people who have liens?

Mr. Onorato:

Yes. That's going to be the larger amounts.

The Chair:

Do they know? Does the average person know that I have a $1.83 bill opposed to the person who has a lien?

Mr. Onorato:

Well Capital Assets committed to on Wednesday that all the correction notices will be sent out in April. We recommend everyone just hold their bill until the end of April. If you do not get a correction notice, your bill is your bill. The 15,000 that get corrected, pay the corrected amount, which is a lot less than what they owe.

The Chair:

So everybody out there should hold on for right now?

Mr. Ricciardi:

I will be brief. I believe Mr. Ferlo brings up two valid points that need to be addressed. One, I totally agree with him when it comes to the administration of the contract. I believe that should be the responsibility of the Finance Department. So in the near future, I would like to have discussion with the Finance Department to see how they are monitoring and addressing some of these concerns.

The other issue that needs to be addressed is regarding the cut off point of should it be $2 or under $3 or under $4, or under $5, especially since you are dealing with some records that are suspect and that date back maybe ten, 15, 20 years. I am willing to address those. But to be perfectly frank with you, I agree with the sponsor of this Bill 283.

In a way with all do respect to my colleague, it is unfortunate now that we are talking about these issues. We don't want to lose track of the bill before us.

Over the past few weeks my office and I have been fielding 15 to 20 calls a day. Matter of fact I received a call last night from a friend of mine from the East End, John at 10:00 p.m. last night regarding this processing fee. So I am going to try to stay focused. I really want to commend Councilman Dan Onorato. Because while I was fielding all these calls, he was bright enough to have some proactive legislation that would remove that processing fee, remove that lien only if that lien was filed

and in all likelihood it was not.

I believe people are still questioning their bill of maybe ninety-two cents and or a $1.82 or a $1.83. But in the long run they are even willing to pay that just to get rid of the burden. But the processing fee they should not have to give it up front. They should not be responsible for it and Capital Assets should not receive really in effect an interest free loan.

So all my colleagues have the right of talking about all the other issues, but I am going to stay focused on 283. I think this is a big help. I want to thank Councilman Dan Onorato for looking into it. All the calls that I have been fielding and receiving not only have we been trying to help them but sending them the bill of rights legislation that Mr. Onorato has drafted. I have been sending them all of this, matter of fact, with his name on all this legislation to make sure my taxpayers realize that a lot of this initiative came from Dan.

I would like to thank him and I think it is a good bill. I think those things that Mr. Ferlo brings up, I would like to address them either through non-binding resolution, maybe at the end of the meeting, Post Agenda or even through legislation that Mr. Ferlo might want to present. Thank you.

Mr. Udin:

I would remind colleagues that at the last Standing Committee Meeting we created a task force that would look into all of the issues that have been discussed and come back to Council with some recommendations. I would urge us to not start to get quick at the draw or even perhaps competitive with legislation coming forward prior to that task force having an opportunity to do what we asked it to do. Otherwise if colleagues would prefer to solve the problem here at this table then we can do it that way and we can withdrawal the work of the task force and we can just disband it but there is no point in doing both.

Mr. Cohen:

Thank you. I think that task force is a good idea and certainly I look forward to working with it. I would like to give a few suggestions before it kicks off. First of all the legislation today is an important piece of legislation. I think that it will help to resolve one of the key problems, and that is of course that processing fee for people who don't have liens. That's very important. But the problem is that the process was just all wrong.

We need to look back a little bit and that is with our own system here. The City, the Pittsburgh Water and Sewer Authority never billed the taxpayers for these past amounts. That's what frankly caused the problem in the first place. We then sold to Capital Assets a bad database as Councilman Ferlo pointed out. Capital Assets then sent out 39,000 bills payable in 30 days with only four staff members to be able to field questions or concerns about those bills. They at the moment don't seem to have any customer service standards. By that I mean how they treat their customers in terms of getting in touch with them, in terms of resolving disputes.

We talked about that last Wednesday but that has got to be improved. More over and one of the things that really hasn't been discussed, here is that they say that they continue to have payment plans for residents. But we have received a number of calls where Capital Assets has taken a

payment plan that they had with the City and just doubled it. So you have a senior citizen who has been making payments every single month and doing so religiously and then finds out that it has doubled and just can't afford to do it.

So I would suggest this task force look at those issues as well. The problem is there is just too much confusion. We have to stay vigilant with Capital Assets.

I have 50 constituents, five - zero that we have requested in writing further information, clarification about their bill from Capital Assets. There is no reason why they should pay any interest or penalties until these questions are cleared up.

So this bill is a good bill and is certainly an important step forward. But we have to remain vigilant with Capital Assets. We sold the liens but we didn't sell our responsibility to the residents of Pittsburgh that they be treated fairly.

Finally, Councilman Ferlo mentioned the contract, which was very important. We have not seen the contract yet. I once again asked last Wednesday to have the contract with Capital Assets sent to every Council member. That has got to be done so we can know what rights we gave the Capital Assets and as well what obligations.

So I would ask the Assistant City Clerk, Mr. Mascio, if you would be so kind as to send a separate letter to the Law Department asking and Finance Department --

The Chair:

Mr. Udin and Onorato I want to thank you for your hard work on your leadership. I will be asking you and this task force to keep us briefed on a daily or weekly basis. There are a lot of people and we are all getting 20, 30, 40 calls a day. It is only fair to some constituents who may have paid that bill already. So, what are they going to do?

I also expect out of this whenever it is resolved to have some answers that our water and sewage bills will be collected properly and anybody -- a $2 bill or $10 slips through the cracks is put on the next bill.

All the millions of dollars we have been spending on computers this should be a no brainer and has not been fair to not only the Budget Office, ourselves who need the money, but the people who would be glad to pay the $1.83.

Mr. Ferlo:

I still have a concern which I didn't know was addressed and whether we should pass this or not. Obviously nothing in my comments would in any way suggest I do not appreciate the fact that this resolution was authored by Councilman Onorato and for his due diligence and leadership on this point. I still think there is still an in equity that we should try to address. But even under this resolution, I am still concerned that there will not be effective notification to the individual property owner and either Capital Assets or the City Finance Department. Because it is still ambiguous in this resolution about what the notification process will be.

I am still very worried also nothing in this resolution prevents Capital Assets from going ahead and filing the fee and

incurring the cost as a way of recouping the initial cost that the ratepayer is supposedly obligated. So that is still ambiguous in the resolution. I don't trust Capital Assets. Maybe some other folks do. I would still like to know and I believe strongly that if Capital Assets under this resolution does not effectively notify and communicate to the property owner that in effect this lien does not happen, and that the cost does not happen. The obligation of the cost will not happen, I don't think it's fair to everybody.

So either the Capital should do it and if Capital won't do it, then I think the Treasury Department or City Finance Department pursuant to this resolution should be obligated to send a notice back out clarifying to these individuals what is up. I think that's very reasonable.

The Chair:

I believe what you're saying too is we owe it to our constituents to let them know what is going on. Whether they have to pay the bill or whether they don't have to pay the bill. I hope we have this in writing legally that there will be no more liens put on any more of the $1.83 or whatever bills since this has come up.

Mr. Onorato:

Finally at this point I don't think anybody here trusts Capital Assets. That is why we are passing this bill. Let me point out that this resolution once again has the power of the law behind it. We are not going to just sit back. We are prepared to file a class action lawsuit if that's what it takes, if they don't live up to there obligations, Capital Assets.

Capital Assets also is taking the financial responsibility. I think they should do it, we shouldn't. To send out those notices that you are referring to the individuals that were not liened but charged a lien removal fee.

Finally there is no process right now to put liens on the old ones. What is happening is these were old bills that had been liened in the past. It was just somebody was either too lazy or didn't want to do the work to separate the two, the ones that were liened, the ones that weren't liened. But we found out that a list does exist, and it will be corrected.

So once again I want to point out that this is holding Capital Assets fees to the fire. They know that a Class Action lawsuit will be filed if that is what it takes if they do not correct the 15,000 that they promised they would do. But it will be in writing, Mr. President, and we will get a copy of the letter, the correction letter that goes out so that all of our colleagues can see what it looks like.

The Chair:

Before we vote, we will expect and I congratulate you on your hard work. We have to be kept abreast because we are constantly the information for our constituents. This has to be resolved as quickly as possible.

The bills are now ready for final action. All those in favor of the passage of the bills will vote aye when their names are called; all opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine **NOES None**

The bills having received the legally required number of votes, are passed finally.

MR. ONORATO PRESENTED:

Bill No. 304:

Report of Committee on Planning, Zoning and Land Use, for April 1, 1998, transmitting an ordinance to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 69:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps Numbered 17 and 18, by changing from "S" Special, "R1" One-Family Residence and "C1" Neighborhood Retail District to "RP" Residential Planned Unit all that certain property known as the Nine-Mile Run Slag Site and 4538 Browns Hill Road, generally located between Frick Park, Monongahela River, Browns Hill Road, Beechwood Boulevard, the Penn-Lincoln Parkway and Swisshelm Park Community, 14th and 15th Wards. (HEARING HELD MARCH 12, 1998).

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Cohen:

I would just like my comments brought forward from last week, Mr. President.

(See addendum)

Mr. Ricciardi:

Thank you, Mr. President. I was going to defer to you regarding remarks about the housing development on Nine-Mile Run. But I would like to say something right now. I am going to be voting for this today. I did have some initial concerns regarding the environmental issues on the property. What's given me a level of comfort is that the URA is paying the bill for an independent consultant. I believe it is ERM that was hired and recruited by the community. I think that is a good level of independence.

From the information that I have from URA and Councilman Hertzberg will hopefully correct me if I am wrong, that consultant will be paid throughout the entire development process. I think Mr. Hertzberg's body language is saying yes. Because why that's important obviously it's not just a level of comfort but it is a good independence. Because I am not sure on the other consultants and professionals were picked. I am not sure if they rely on continued business from either the developer, the contractor and/or the URA. So that's very very important to me.

So I am going to be voting for this. I

have reviewed the traffic studies. I think there could be a possibility of a problem in the future. However, Mr. O'Connor, I have listened to you through the media over the weekend saying that you're going to be very careful over the next 15 years. I have complete confidence in your judgement, and I will be voting for this today.

The Chair:

I will be a fifteen-year watchdog I guess. This is a very very exciting project that actually started four, five years ago. I have to credit the Murphy administration for taking something that we had been talking about and really hiring the right people to really come together and design something. It is important –

I know I was out over the weekend and some people still had questions especially who live close. I have to remind them four years ago that was part of the Mon-Valley Expressway was going to go through there, through the neighborhood initiatives we stopped that. There have been plans to put a major mall there that I think was not necessary, not the right thing for the neighborhood. I think it really would have devastated the surrounding community businesses.

Something is going to happen with that land. I think what is going to happen after this vote, is a tremendous experience and the right thing to do with this land. Initially there was a plan of over 1100 homes. Through three years of working with all the neighborhoods involved, the constituents, the designers, the developers, it is down to around 720 units. Phase one will take four, to five years; phase two another four to five years; and phase three another four, five years.

It really creates an opportunity for people living in the City now who want new housing, new town housing or an upscale rental. The rents will be $800 to $1,000. It has a view of Frick Park and of the riverfront. So it is just a tremendous extension of two neighborhoods. A lot of people are leaving the City because they don't have a new home. We don't have that many new houses available. This will create that atmosphere for not only them to buy but for people to come into the City who want that.

I want to thank everyone involved. I want to make it clear that by voting for this, it is part of the Planning Commission. There are still things that have to be met, environmental issues that I believe have been met that will be an ongoing thing. The budget, there's been some questions the budget is here and all of you have gotten copies of that and have reviewed that. Traffic is an ongoing issue that we have to continue to work on. I think the developers and the administration really did a lot of hard work. I think accommodated 90% of the interest of the neighborhoods, Swissvale Park, the Rosemont, and Duck Hollow, and the Squirrel Hill Coalition.

I believe I have been in those meetings for the last three years and there has been a lot of outstanding work. I think this is a goal of when people work together for the right thing, it is coming together. Hopefully we will be able to do groundwork as soon as possible this spring. We feel after the water and sewer and the roads are put in by this time next year we will be breaking ground for new homes in the City of Pittsburgh.

I want to commend everyone involved, I know some of the developers are

here and neighbors, for all their input. I am very excited about this project.

Mr. Cohen:

I want to commend you and all your work with the whole Nine-Mile Run process. There have been a tremendous number of meetings having to do with Nine-Mile Run. I know you attended everyone of them and worked very closely with the community groups. I want to commend you for all your work. This is an important step that Council is taking today; it is really a critical step in the future of Pittsburgh. How many people can remember the last time that we actually built a new neighborhood in Pittsburgh? It was a long time ago.

Although there are many issues dealing with traffic, density, environmental, etceteras, and I think all of those issues are being managed well, when you step back and look at it, you realize what a great thing it is to be able to manage growth rather than managing decline. That's what is really happening with this bill.

So, I am proudly casting my vote for Nine-Mile Run because I think it is a critical piece in the future of Pittsburgh. But at the same time realize that City Council has to remain vigilant during the construction process. So I want to thank you, I want to thank all of the URA, all the developers who made this an extremely public process as well as the neighborhood groups who were involved. Thank you.

The Chair:

One last word before the final vote. I think it's a good partnership, public private partnership. There is a lot of private money coming into this. It shows people want to live in the City. I feel good.

I only live about a mile away from here. As we all seen the praise of the City, this shows that people want to live here, will come back to the City. It is a great opportunity to grow our City. It is not just downtown, not just business. There are a lot of good things happening in East Liberty with Home Depot and downtown. I think this is a great opportunity to bring people back into the City and shows they do want to live there.

If you don't believe me just walk through Squirrel Hill, Bloomfield, South Side, North Side, there are people here and they want to come. They are coming and spending their dollars, investing in this City and this is a great project. I want to thank everyone involved.

With that said, the bill is now ready for final action. All those in favor of the passage of the bill will vote aye when their names are called; all those opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Eight NOES None

The bill has received the legally required number of votes, and is passed

finally.

MR. RICCIARDI PRESENTED:

Bill No. 305:

Report of Committee on Housing, Economic Development and Promotion, for April 1, 1998, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 244:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh ("URA") designating URA as the City's agent for property acquisition in the Nine Mile Run development. (Council District 5). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

Also,

Bill No. 245:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of $2,100,000 for Infrastructure Support for Housing (Council Districts: All) (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President, obviously I am very much in support of this whole project. But one part of the project is the actual environmental clean up of the actual waterway Nine-Mile Run. I would just want to reiterate my request at the table that there be some kind of memorandum of understanding or cooperation with all the different State, Federal, Local, and County agencies that some how are involved in the actual clean up of the stream. I think at some point some body needs to be in charge.

There was a suggestion that it be the gentleman from the Health Department. Whomever it needs to be fine, but I would like to see like we did with Saw Mill Run that someone be in charge and it be clear what each part of the State, Federal, County and Local bureaucracy is responsible for what. This is all well and good and I am very pleased and supportive. But I would still like to reiterate that earlier request for the committee meeting.

The Chair:

I think that is a very good point. I know the coalition has overseen a lot of that. We are going to need Alcosan's involvement. I believe Roger Woodsman actually is part of that board and the Allegheny County Health Department works for them. I would suggest him to be the Chair. But I believe you're right. We have to have people in charge of what is going on. It is a good suggestion and I will follow up on it.

The bills are now ready for final

action. All in favor of the passage of the bills will vote aye when your names are called. All opposed will vote no.

Clerk, please call the roll.

The ayes and noes were conducted according to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Eight NOES None

The bills having received the legally required number of votes, are passed finally.

MR. DIVEN PRESENTED:

Bill No. 306:

Report of the Committee on Public Safety Services, for April 1, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 238:

Resolution providing for an Agreement or Agreements with a consultant or consultants for professional services to implement the Problem-Solving Partnership Program cost not to exceed $116,000.00.

Which was read.

Also,

Bill No. 239:

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a vehicle and related accessories Operations Center and providing for the payment thereof cost not to exceed $25,000.00.

Which was read.

Also,

Bill No. 242:

Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Problem-Solving Partnership trust fund (PSPTF), for the deposit of grant monies received by the United States Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Bureau of Police to cover any and all Eligible expenses.

Which was read.

Also,

Bill No. 259:

Resolution amending Resolution No. 84 providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof by increasing the cost by $400,000.00 for a total cost of $1,000,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ricciardi:

I defer to Councilman Onorato.

Mr. Onorato:

This is on Bill 259. There was a lot of discussion last week about the demolition line item going to a million dollars. The concern of the chief that there wasn't enough vendors out there to take down additional buildings and to the point where I think some of his comments were we might not see any significant change from prior years.

I think we made it very clear to the Chief that that was an unacceptable answer and that we want to as the quote is, think outside the box. What I would like to do is have the Clerk ask the administration to respond on how they are going to resolve that problem? How we are going to spend the million dollars? I think this is appropriate to talk about it now because we just finished voting on a major improvement to the City called Nine-Mile Run. Which obviously I fully support and we all do.

But don't kid ourselves. The other neighborhoods and the great neighborhoods that I represent and all of you represent they are showing cracks, they are showing signs of instability. If we don't address those problems now, I am afraid that there is going to be a viscous cycle and undoing of the stabilization of our neighborhoods.

This Council fought in December to make a significant dollar push toward maintenance of our neighborhoods. We cannot accept the fact that the money is there and it can't be spent. The money is there because we wanted it there and we want it to be spent. It is now up to the administration who is responsible according to the Home Rule Charter to execute the will of Council. The will of Council is very clear here. We have a backlog of homes that we want down. We have a backlog of lots that we want cleaned. We have roads and sidewalks and fields that we want maintained.

While I love the idea of growing the City, I want to make it very clear, I do not support growing the City at the expense of the older neighborhoods. This had better be a partnership and cooperation or I am going to slowly and continuously fight and take the money away from the growth function to go back to the maintenance function. This million dollars better be spent in 1998 and there had better be a doubling of the homes torn down from 1997. If that is not accomplished by December of 1998, I think it's going to be a very rough budget season. That's not a threat that's a not doing what the will of Council asked to be done.

I think it's only fair if we are being called upon to support $40 million dollars for Nine-Mile Run, over fifteen years or any of these great, great public improvements to have private dollars come in. We can't even keep and maintain what we already have; there is a structural problem in the City of Pittsburgh. I believe we can do it. The money is there, let's figure out a way and clean up our neighborhoods so we can all benefit in this so-called growth of the City.

Mr. Ricciardi:

On a different issue. Colleagues, regarding the two pieces of legislation. I believe one is the problem solving partnership trust fund. The other one is

allowing the administration to enter into an agreement. Basically the program as everyone recalls is studying gun usage among juveniles on the North Side. At this particular time, Mr. President, I am going to be voting for both bills because it is at the end of the rope. All their work has been done. I believe the grand has already been applied for, the money is promised.

However, I really respectfully question the management that came about with this appropriate decision. What I mean is I believe that all of us including myself had asked why was this particular zone chosen. You would expect to hear a very articulate answer to that because I think it's a decent program. But when Mr. Sala Udin came right out and directed that question the answer that they gave Mr. Udin was one of convenience. It was easy because AGH abuts the neighborhood. That's not how public policy should be made here in the City of Pittsburgh. That's not how we should be running our police department. That is not how we should be looking at problems among teenagers when it comes to gunplay.

It should be that we should really be looking at the zone where the variables are present, where that we believe it needs the most help, and where it's been hopefully brought through the entire community process. But again Mr. Udin was able to get the information out that quote it was convenient. That's a shame; that's a pity. Matter of fact if I was at the table I would have been very embarrassed to give that type of response. I would have not responded to the question and hopefully hid behind a memorandum.

Once again I am voting for this because it's a good program. But in the future, I hope all officials from the police department do not come to this table and insult, not this body, but the taxpayers and the residents of the City of Pittsburgh that we are making public policy on convenience and what is easy and where the location of the hospital is in terms of the neighborhood. Matter of fact, and I will say this publicly, because I think AGH has been good neighbors especially when it comes to the employment programs. They have set up and I believe also the revolving loans in order to help the neighborhood.

I am surprised they would look towards convenience and not look towards what really needs to be done and what neighborhoods really need to be studied. Thank you.

Mr. Ferlo:

I voted no in committee and I vote no still on Bill 239 involving the expenditure of $25,000 for a new vehicle for the supervisor of ELC. I still have fundamentally a difficult time understanding with all the different equipment needs given the morale problem that exists at 911 and ELC why a new vehicle for the director has to be the most critical allocation or priority for the allocation of these funds? I got to believe that some other kind of technical equipment is more important and probably needed than the director having a new car. The other car only has 40,000 miles on it. I just can't vote for this.

I also think it avoids the process. I think inherently there is a problem when a director decides to write his own grant to give himself his own car when it avoids the general service procurement process in terms of the equipment leasing prioritizing what vehicles are needed. I just respectfully

have to vote no on this.

Mr. Ricciardi:

I am just going to duck tail Mr. Ferlo. I really want to thank him. I believe he is really being a true watchdog for funds. I am voting no on this. I believe that we were not given direct information when said well this money needs to be spent on a car. This money can be spent on other equipment that directly relates to public safety here in the City of Pittsburgh. 40,000 miles is nothing these days. My car has 102,000 miles and going strong.

Basically it comes down to hey it is nice to have a nice car. It is nice to have a clean car. It is nice to have an updated car. But I believe if you go out there to the taxpayers and ask them how many miles are on their car or would they rather have a new car or spend that money in their household? They would say, well I would take that money and put it away for education of my kids. I am going to take that money and put it away for a vacation. I am going to take that money and put it away for a new porch, and I am going to keep my car with 40,000 miles. I think sometimes we make public policy here in the City of Pittsburgh not realizing that this is true money. Because people out there in the households would not spend their money unwisely like this.

This money should be going to something that is much needed in terms of equipment, in terms of telecommunication equipment, in terms of new telephone lines and system, in terms of so much. Mr. Ferlo is right on point here. It's a pity because we talk about cars and we talk about all these perks but we keep releasing the funds. Eventually it has to come back to this table.

Mr. Dan Cohen should be commended to this day. I am going to publicly apologize for not voting for his legislation two, three years ago. He tried to curtail car use here in the City of Pittsburgh, when he tried to see which cars were needed, which directors did need cars, which directors did not need take home cars. I didn't vote for that legislation. I hope he brings it up again.

Let's send a message on Bill 239. Let's vote no or let's abstain and watch them spend this money on something that can really help the taxpayers here in the City of Pittsburgh.

Mr. Ferlo:

It seems in purchasing this car we're also now going to have another staff person who was referred to by the supervisors as the underling in that department. That person I guess presumably is going to get this 40,000 vehicle car, which I guess it is okay for him to drive it. But it is not alright for the supervisor to drive. Now we are going to be paying gas and mileage and whatever for a second car that I don't think was normally part of the department.

Now I don't mind having the department having appropriate vehicles. They need them obviously. But I don't know that there is rhyme and reason to when these vehicles need replaced. There is more of a rhyme and reason with the Department of General Service in the equipment and leasing authority because there is a fleet management policy. This just seems like on a whim the money is available. It is PEMA State Trust Fund Money, so why not spend it on this. Well it is also eligible to be spent on the employee technical equipment and other kinds of needs at EOC. I am not

voting for it.

The Chair:

Is that your department, Mr. Diven?

Mr. Diven:

Yes Sir.

The Chair:

I remember at the table, I wasn't here last week for the discussion, it was only permitted for this usage I believe.

Mr. Diven:

There are narrow guidelines on where the money can be spent and one of them was for the purchase of a car. I don't know --

The Chair:

Is it going to have a siren and be marked like Mr. Ferlo mentioned?

Mr. Diven:

It was going to be marked EOC.

The Chair:

To be recognized as a safety vehicle?

Mr. Diven:

It won't be marked but it will have municipal plates.

Mr. Ferlo:

If we can believe them. I don't know if we can believe them. I don't know. I don't believe anything any more. I don't believe this administration on a lot of things.

The Chair:

Any more discussion?

Mr. Ricciardi:

If I may, not to be redundant. I think Mr. Ferlo brought up a very good point. We should take into deliberation and that is why is the car with 40,000 miles good enough for someone's underling? So it must be a decent car. It must be the maintenance I am sure we kept up with the maintenance. So I think deliberation on voting for this bill, that is a good point that Jim Ferlo raises.

The Chair:

Do we know if that underling has a car that is being moth balled and --

Mr. Ferlo:

It sound like the underling and I hate to use that phrase--

The Chair:

The underling or not --

Mr. Ferlo:

I assume --

The Chair:

If it is number two --

Mr. Ferlo:

I am sure number two does a lot of good work and whoever he or she is --

The Chair:

Does he or she have a vehicle that maybe has 90,000 miles?

Mr. Ferlo:

I don't know. The implication was that they don't have a vehicle. So, now we are not anteing up another vehicle. If we get a new vehicle next year, does the underling's underling get a car?

The Chair:

Do we have a motion to recommit?

MR. COHEN moved to recommit.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

We will recommit Bill 293. Any more discussion?

Bills are now ready for final action. All those in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills having received the legally required number of votes, are passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under motions and resolution, we have a reappointment of Ann Davis which does not require a vote. But we will put that in for the record.

We have a reappointment of Carl Redwood, Junior to the Pittsburgh Cable Communication Advisory Committee. Do you wish him --

MR. FERLO moved to receive and file Ms. Davis and moved to approve Mr. Redwood as a continued member.

MR. COHEN seconded the motion.

No. 307 Resolution re-appointing Ann Davis as a member of the Pittsburgh Water and Sewer Authority term to expire January 7, 2002.

No. 308 Resolution for the reappointment of Carl Redwood as a member of the Cable Communication Advisory Committee, term to expire December 31, 2000.

Mr. Ricciardi:

Colleagues, just regarding Ann Davis, and I think we all know Ann Davis very well. I think she is a personal friend of Jim Ferlo and Dan Cohen. I would just like to say that she is a true consumer advocate on that board. We have consistently said that we need people there that are

independent, very consumer orientated and that's Ms. Davis.

It's interesting, I have served with her so many years and she continues to probe and ask such thoughtful questions. I think that is because over the years she has made so many friends and contacts through PWSA and the Water Department and Engineering and Construction that she is definitely an investigative reporter, if the media ever needs some one. So let me just say that we really need her on the PWSA Board. She has done a very fine job both in her attendance but especially on her voting patterns.

I am very pleased to vote with Ann Davis continuously and consistently against rate increases here in the City of Pittsburgh.

The Chair:

All those in favor?

Which motion prevailed.

The Chair:

Also under motions and resolutions. I just want to give you a few reminders. The Standing Committees Meeting will be tomorrow at 10:00. The Post Agenda called by Mr. Udin and Mr. Cohen on telecommunications, televised will be at 2:00. Tomorrow at 9:00 do we still have the Executive Meeting concerning Duquesne Light merger? I believe that is at 9:00 through Mr. Udin's request.

Anything else under motions?

Mr. Ricciardi:

Thank you. I have three issues. The first one will be very brief. Over the years I have been questioned many times why I have such strong opposition to the Original Hot Dog in Oakland and the relocation and expansion of the Original. As my colleagues know several years ago working very closely with the Oakland Community we forged ahead and opposed the relocation of the Original at the corner of Bates and Semple. We were very successful.

I have been fighting to keep the Original out of and closed on the South Side since 1993. Thus far we have been successful through the courts. I look forward to going to the Pennsylvania Supreme Court if need be to stop them.

Perfect example was if you look at the electronic media earlier this morning. Once again what happened at the Original Hot Dog? It appears that the off duty police officer got into a confrontation with, I believe, four young men. There was a pursuit with our Pittsburgh Police Officers. It appears that there were guns found on the actors, bulletproof vests and a certain amount of drugs.

So I have stated and I continue to state this and I said it to the Simon family, unfortunately the Original Hot Dog is a magnet for trouble. It is a lightning rod. Do I know why? I have no idea. But one of the reasons, for example, they wanted to come to the South Side after we stopped them from moving to Bates and Semple and be open 365 days of the year, twenty-four hours a day. Well what happens at three, four, five a.m. in the morning? Unfortunately people are out looking for problems, looking for trouble. Looking for places to go.

It has now come to me and to be

perfectly frank to my colleagues, I have been told by patrons of the Original that there is a sign at the Original. Of course, I have been told this and I will find out today, that says after midnight there is a surcharge of 10% for public safety protection. If this place is a problem, I am happy I was able to keep them out of the heart of my district in Oakland. Thus far, I am somewhat pleased that I am able to keep them closed since 1993 because we need to address this issue with public safety. It is a magnet for problems.

That aside, if there is no others and no one would like to say anything, I would like to go onto two other issues.

The Chair:

I don't know who is going to follow up on that, if you are? But what disturbs me is I know they pay off duty police officers. But also there is a lot of our police officers there all the time especially in the evening. Instead of protecting our neighborhoods and they won't walk two blocks down. They are all sitting in front of the Original Hot Dog. It looks like an army of police between our police and the Pitt police. So right away, all of our tax dollars, they are not protecting our neighborhood streets, our homes only because of this.

I don't know if we can charge him or why we have to put so much attention to that one area. It is really unfair how one business gets so much police protection when I never see a cop two blocks down the street.

Mr. Ricciardi:

That's a good point, Mr. O'Connor, and I forgot that. Not only are there City police officers but as you know I believe there are also University of Pittsburgh police officers who could be out there up at that intersection. There is definitely a problem.

Matter of fact, I would like to take the lead on this. Maybe I should pursue a nuisance because they do have a liquor license. Maybe I should pursue a nuisance bar and try to get them labeled as a nuisance bar in the area. There are problems, just by the police reports, by the number of police presence that need to be available from what happened last night. If it is true, the big if, but if it is true that they now have a sign, at the Original after midnight, 10% surcharge for public safety, that would be a pity.

We need to continue to stop them from moving to Bates and Semple, to protect the fine people in Oakland and continue to keep them out of the South Side as long as I can.

The Chair:

I would request Mr. Diven gets involved with you because he is in charge of public safety to keep on top of that issue.

Mr. Ricciardi:

Colleagues, I have been following very closely the media, the debate in the media. It is just remarkable how sometimes people negotiate through the media. I have been following it very closely regarding the tickets on county cars. I have been following the remarks from Mayor Tom Murphy who is steadfast that says they owe the money. I have followed the remarks on the electronic media by Cranmer and Dawida who have stated that the county police are responsible for it. I have followed the remarks by the county police officers

where they questioned not the convenience but they questioned the public safety aspect of having prisoners walk through town.

Well let me tell you, I experienced it this morning. At 9:35 a.m. two county police officers, detectives, in plain clothes were walking down Grant Street with a prisoner in handcuffs, with a belt around the gentleman's waist. First of all let's keep in mind that that person hasn't even been convicted. So in a way it's almost a pity the embarrassment that he experienced this morning because he might be innocent. But also just think about the perception of all the people coming to town to shop.

The perception of the mom who is coming from the suburbs to spend her money with her young kids, to need to walk past this type of incident. The people who were thinking about bringing their businesses into town. The businessman that just came in from New York City or another city to visit another business here in town to talk about business and that's what he experiences. Then you hear about these elected officials get into this battle in the media.

Well, I really believe that cool heads need to prevail. This is where I am going to ask Councilman Diven who heads the Public Safety Committee to get involved.

First of all, I would like to pass a non-binding resolution. I apologize to colleagues for not sharing this with you before hand. If there is a problem, I will just withdraw it. I think we really need to work together on this. The City of Pittsburgh is a county municipality. County police officers are out there protecting everyone involved. I would like to see us be the first legislative body with cool heads to extend some sort of sign that says let's work together.

I would like to have a non-binding resolution doing three things, colleagues. Number one, for the City of Pittsburgh tow pound to immediately release the 1994 Dodge Spirit from our tow pound. I am not saying to forgive tickets on that Dodge Spirit. I am saying, colleagues, let's get that Dodge Spirit back in action. That vehicle needs to be put on the roads. That vehicle is supposed to be used to bus bad guys and bad women. That vehicle should be on the road.

Again, I am not asking for tickets to be forgiven on the 1994 Dodge Spirit. I am saying, let's immediately release that Dodge Spirit from the tow pound.

Second part of the resolution. Now I find out from the Pittsburgh Tribune, there are 50 other cars on the list to receive the Orange Denver Boot. We have some fine people at the parking authority, who work very hard. They are called our code enforcement officers. Can you imagine if 50 other undercover county police vehicles get booted this week? Now we are up to 51 cars out of action.

I mean come on, colleagues, these cars are supposed to being used for public safety purposes, not just to go in and transport prisoners and witnesses, but to go to crime scenes.

So second part of the resolution is, again, is not to forgive the tickets. I am not saying that. But remove the 50 cars from the boot. From the list that receives the boot.

Third part of the resolution is for Councilman Diven who showed a remarkable sense of coolness on this

Council. I would like to see Councilman Diven work personally with Chief Magistrate Simmons and with Superintendent Sturgeon to get this thing moving. To find out which cars were just parked because of convenience, but which cars were really parked there because of a need to carry out the County and the City's business of public safety.

It's an easy resolution. Release the 94 Dodge Spirit immediately. Take the other 50 cars off the list to receive the orange boot and ask Councilman Michael Diven, from the Brookline area to please get involved and move this thing through Simmons and Sturgeon immediately. Because Dawida is doing his thing, Cranmer is doing his thing; Mayor Murphy is doing his thing. Guess what, all they're doing is positioning themselves.

All I have is two commissioners, Cranmer and Dawida just beating up on the County Police Officers. We have Mayor Tom Murphy saying give me my $70,000 and who is worrying about public safety in the City? It is going to be Michael Diven if we give him a chance to do it.

Ms. McDonald:

As a member of the Parking Authority when this news first broke we had former Director Guy Costa he was out of town, the Chairman of the Board of the Parking Authority Mr. Gerald Voros was out of town. I had called Vice Chair Judy Dyda. I am an officer as well on the Parking Authority Board to ask -- to just basically to dialogue we got to do something, it is silly.

I applaud Councilman Ricciardi's remarks because the bottom line is this. It makes for a good story and a lot of times people want to beat up on somebody, but let's face it. These are County Police Officers. I knew that this type of incident where a prisoner would be walking through town or an officer walking through with evidence, would be walking down Grant Street or walking down the Boulevard of the Allies. It really would put a glitch in our ambiance of this new renaissance that we are so proud of. It doesn't kind of fit in with the whole scheme of things.

I felt this whole thing was absolutely silly. I cannot believe it. I just got on the Parking Authority two years ago. But this obviously has had some history. I was amazed that there would not have been some type of provision for one or two spaces to be allocated along First Avenue or somewhere close for the County Police to unload prisoners or to load prisoners or evidence. I don't get it. It sounds so simple and maybe that's the problem. It sounded so simple and so easy and what happened is there is some kind of political turmoil that interfered with this sense of logic that should have prevailed years ago.

So what I had done is I had talked with Ms. Wise who is the Acting Director of the Parking Authority as well as Mr. Reginella and to ask them to try to collaborate without a lot of political mumbo jumbo, without a press release. I don't like this. I think it should be settled nice and quietly. Just get it done. We don't need a story on this. Fix it. To take one or two heads of those meters off, put up a nice little sign like they do for the Parking Enforcement Officers as well as other officials, these are for County Police -- Do not park here. You shall be towed. To have those spaces and also to make sure that the superintendent as well as other county officials instruct their detectives, don't park

illegally. Park in your designated spaces over at the garage that other county employees park in. That to me would have fixed it right then and there.

So I don't know what is going on right now. I would prefer that the City and County work together as Council Ricciardi said. It's so silly. The City of Pittsburgh is within Allegheny County, Allegheny County just happens to have offices within the City of Pittsburgh. What is the problem? Why can't we resolve little things like this? So I don't know. I believe to Councilman Ricciardi that there is there has been dialogue. I have, like I said, spoken to Mr. Voros who is Chair. He agrees with the concept of a loading zone or a space or two. Get it done. He is a no nonsense kind of guy himself.

There will be a meeting, my understanding is on Thursday. I am not involved with that meeting. But it was just a heads up that there was some meeting, I believe, with Judge Simmons to get a grip on these, on what is going on and to settle all of the tickets whether there be fining or not. I don't know. I believe instead of us -- in all do respect to Councilman Ricciardi instead of us having necessarily having a non-binding resolution to let everyone work it out. Let the parking enforcement work with E and C, work with commissioners and etc. with the administration and just settle the dog gone thing. It is silly and it shouldn't have made the news as long as it did.

That is ridiculous. We are only talking about a couple of spaces. But Thursday hopefully it will be resolved. I do have all the confidence in Judge Simmons to insure that all the details will be worked out. How did it ever get to this point? Why all of a sudden after all these years is there a list? Why wasn't there some kind of notification done prior? Something happened wrong. There was maybe a ball or two dropped. We need to figure out where it was dropped? When?

I would let Judge Simmons that is what we appointed him for, that is what we pay him for to sort these things out with the county. I am not going to vote for a resolution to wipe the slate clean or not. Let the judge figure it out. If it was County business fine. If it was not County business, all right. Some one is going to have to pay. But let them figure that out.

Mr. Hertzberg:

I appreciate Councilman Ricciardi's concerns for law enforcement. I am concerned with that too, but there is no way I can vote for this particular resolution. I am real familiar with the parking situation back there. In fact I received a ticket and paid it back there for illegal parking once very late in the evening when no one would expect to get a ticket, I got a ticket back there. I have watched what goes on back there. I have watched the parking up on the curbs, all over the place that goes on in that particular area of First Avenue.

There is no way I can vote for this kind resolution. I watch all the parking downtown and a number of people that just totally ignore all the different signs that are up downtown. I don't know how we can just say these are police and they can do it when we see parking tickets given to the rest of the public, myself included. Who else is downtown? There are hundreds, thousands of law enforcement people downtown. These county police are not the only police officers down there. We get police

downtown from every municipality in Allegheny County, even other counties. We get state officials, we have District Attorneys, we have US Attorneys, we have US Marshals, we have law enforcement people from all over.

The fact of the matter is proper arrangements were never made by the county police to get the right parking there. Instead of making the proper arrangements they just tossed the tickets. Can anybody else do that and get away with it? I don't think so. I think this needs to be resolved by our City Magistrate. That's the appropriate way to do it.

I have heard of cases in the past, you bring in a large quantity of tickets, I think every member of the public that falls into one of those categories ends up with some reduction of their fine. I think if that's what Chief Magistrate Simmons feels is an appropriate thing to do with these tickets, then he can do that or he can do whatever he thinks is appropriate. But I don't think it is up to us on Council or that Council should get involved in anyway in this manner.

Mr. Ferlo:

I respect the offering of Mr. Ricciardi's resolution but I can't support it. I don't think we need to be in this dogfight of the Mayor's at this point. Especially because I think the Mayor's on high moral grounds here. As Councilman Hertzberg pointed out, the Mayor has made it clear that he does not want exceptions based on either politics or special preferential treatment regardless of the fact that we have uniformed officers here.

It is unfortunate as Councilman Ricciardi states, and I do agree with him that part of the fall out of this is an undo attack on some great men and women that make up the Allegheny County Police Bureau. I think if any police group that I can think of within the state, the Allegheny County Police have been a class act for many decades, there is a high degree of involvement on a daily basis with our own City Police Bureau. I know under the stewardship of Bob Kroner and subsequent Directors that these are a great group of people. They work very hard.

I really am concerned that we are impairing albeit the public spectacle that has been going on over the last week, but I hope that doesn't spill over onto our daily working relationship that we need to have with these officers. They are a great group of people. They are part of a system that just was never worked out and did not get resolved as Councilman Hertzberg stated.

The issue really should be to try to find some appropriate parking. It can be indoors and the County will have to pay for that just like we have parking burdens around the City. But we should not get into this dogfight by way of this resolution. I don't think we should undermine the actions of the Mayor at this point. County government has to address the parking needs. That's true for sheriff vehicles that are not supposed to be parking on Ross Street, despite the fact that the County jail is there. That really was supposed to be a permit parking for customers and people that need to frequent the downtown. Whenever the County Building is whether it is police or not police they need to resolve and come up with a parking plan for their employees and residents. We have to do that in the City. Other municipal townships have to do that.

It would seem to me that Councilwoman McDonald's suggestion of working with the various departments, E and C. Parking Authority, the Mayor's Office we can resolve this in the future. But we shouldn't get into this dogfight. We should let the Mayor and Chief Simmons and the County work this out.

Mr. Diven:

First of all, I would like to thank Councilman Ricciardi for his confidence in me. I appreciate his support. What I will do is I will contact all the key personnel in this conflict and try to get a memo and an update for Council's review as to what the status is. Obviously, this is not a small problem. When you have 50 cars scheduled to be booted, there is something seriously wrong.

I think that one of the things that probably contributed to the problem is the fact that we have a couple different jurisdictions not sitting down and outlining a comprehensive policy on who is entitled to park there and what areas are designated for their parking. I think until we do that we are going to continue to have this outrageous number of County Police vehicles that are going to continue to receive tickets. The mentality will be not to pay those tickets or not to feel like paying. They are responsible for paying those tickets because they're on official County business.

We need to try to outline a policy for the future that says here are where you're designated to park. If you are outside of this spot it is your responsibility. It is the County's responsibility to pay those tickets. So one of the things I will do is contact Chief Magistrate Simmons and somebody from County Police and somebody from our Engineering and Construction. I am sure Councilwoman McDonald will be helpful in putting me in touch with somebody from the Parking Authority that we can all work together.

The Chair:

If there is a meeting, as I think Ms. McDonald mentioned, Thursday, I would request to see if you can be there as a representative from Council so you can have some input.

Mr. Onorato:

I think we are missing the point here. I think Councilman Ricciardi is right on point. This isn't a matter of who has the high moral ground and who is right or wrong. Councilman Ricciardi made it very clear that he does not want to waive any of the fees. They deserve to pay what they owe.

But let's step back a second. I think Councilwoman McDonald hit it right on the nose. First of all for the Mayor or anyone to stand up and pound their chest and say we're not giving a break, we are treating everybody equally. Let's step back and look at what is going on here. These are not -- this is not the general public. They are transporting prisoners. If this is a policy that has been going on for ten years, five years, twenty years, I don't know how long, then all of a sudden the City decides to enforce it out of no where. What should have been done is to call one of the officials from the County and say you can't do this, let's get this straight.

But I will tell you right now, his resolution I support 100% in the fact that we shouldn't be booting one police car. The issue here is we don't want them to park like

that, fine. There are some fees that have to be paid, fine. Don't take the public safety vehicles out of operation and stand there and say okay if you don't pay it, you can't use your car. Because we acquiesced to this policy for how many years? No one said a word. All of a sudden we wake up one day and see twenty cars booted. What kind of policy is that? What kind of moral ground is that? That is the most ridiculous stance I have ever seen in my life.

This should have never hit the public as Councilwoman McDonald stated. This should have been a back door discussion to go into the room and say listen, you are clogging up our streets, let's get certain passes. We are going to give you a designated area for transporting prisoners. But with all do respect to Councilman Diven too, I don't think it should just be turned onto his shoulders. What we should be doing is telling the administration once again to sit down with the County Police and work out this deal.

I am going to go on record right now. I do not support any cars being booted that is doing public safety activity. There is a dispute as to where they should park, fine. We will resolve that. But my hands are going to be clean if there is ever a problem we can't pick up a criminal or there is a problem because we can't use public safety cars because this City put a boot on it. They should be removed immediately. Not the fines, the boot. Let's get a new policy in place. Let's get some common sense into the room instead of all sitting there in front of the camera pounding our chest saying I am right, I am right. I am not going to do anything. That is a ridiculous way to do anything.

Mr. Ferlo:

I guess I also agree with Councilman Onorato now. I think he had a good point, but I would suggest that we -- I am going to second Mr. Ricciardi's resolution. Now what I would like to ask him though is that we hold this resolution until next week and that we use this week as an interim week to try to bring some sanity, as Mr. Onorato very eloquently just stated. The booting should be a last resort.

I can't believe that they can't come up with an agreement on what the actual fee and payment will be on the citations. I am sure they can get an expedited hearing before Judge Simmons and restore some common order to this. But I do agree, I think Councilman Onorato's point is right. I think ultimately it does not make sense for these vehicles to be out of service regardless of who is right or wrong.

This is almost like the Alcosan bills that people are getting now from 10 years ago. There is not a consistency here. I don't know all the facts and figures. It maybe that the Mayor and the administration have notified and have been frustrated with the fact that the County Police and the sheriff's office have ignored past requests. I don't know because I don't know all the facts here.

I would like to second the resolution that Mr. Ricciardi is offering. But I would like to suggest that we hold it one week and allow Councilwoman McDonald who is on the parking authority and Mr. Diven, Chairman of Public Safety, together with our comments to try to restore some sanity to this.

The Chair:

I think as a follow up to that, since there is a meeting on Thursday that we

would have a final follow up from you before we need the resolution. I think everyone supports the spirit of Mr. Ricciardi's --

Mr. Ferlo:

What's the follow-up meeting Thursday?

The Chair:

They have a Thursday meeting with Magistrate Simmons.

Mr. Ferlo:

I understand that, but I would like to ask if Mr. Ricciardi would be willing to hold this until next Tuesday's meeting?

The Chair:

We should have a lot more information by then.

Mr. Ricciardi:

I want to thank Mr. Ferlo.

Mr. Ferlo:

Just as a legal point, this Council has the power to remove the Denver Boot if we have to.

Mr. Ricciardi:

I want to thank Mr. Ferlo for that second. I definitely am going to hold it. Matter of fact, I was thinking about even withdrawing it because I would never want to see a close vote or put my colleagues on the spot if they didn't have all the information.

Once again I want to make it clear what the resolution was. It was initiated by myself because when I saw the prisoner being walked down Grant Street in handcuffs, I think that perception is very bad. It was a very clear resolution, let's just release the 1994 Dodge Spirit. Number 2, do not boot the remaining 50 cars on the list, to hold off, we don't want 51 cars out of commission. The third thing, which I think Mr. Diven is going to do with or without the resolution, is basically work very closely with Simmons, Sturgeon and others and let's get this thing moving. I am going to hold this. Because really it was a non-binding resolution.

I think we accomplished what we wanted to do. Just sending out the message to the Murphy administration and to the Cranmer administration that County Police Officers out there doing a very fine job and they should not be attacked by elected officials that are negotiating remarkably as Councilwoman McDonald brought out through the media. To me it was just very unprofessional and it continues to become unprofessional. I brought it up publicly because they set the rules of the game. Thank you.

The Chair:

I think they got a clear message that there is not only a ticket problem, there is a parking problem that has to be resolved for all purposes. Any more discussion?

Mr. Ricciardi:

I am just going to ask Councilman Diven, Hertzberg and Onorato who had just expressed interest. Two -- should I bring it up or do you just want to wait until next week? I will try to make this very clear.

Colleagues, I supported the Department of Public Works for many, many years with all of us. I believe there is many, many fine men and women who work for the Department of Public Works and that's definitely a service that's a high priority. It probably matches Public Safety here in the City of Pittsburgh if you talk to any of the constituents, residents here in the City of Pittsburgh. I think we have many, many fine men and women who work. Matter of fact, if you look over the last ten years they have decreased in staff 100 fold. Nearly 100 people they have decreased in staff and they continue to supply good services.

During the budget deliberations all of us had some real concerns about the five-division plan. We had real concerns because when there's a Public Works issue out there, be it a retaining wall, a street that needs to be swept, people do not call, with all do respect, Public Works Management or Mayor Tom Murphy. They call their Council men and women and that's bottom line.

I really want to pass -- it doesn't have to be a non-binding resolution. I believe that we need to step back on the five-division plan and have another Post Agenda. I am hearing what everyone else is hearing that there could be problems lurking in the future. We have a strong management team, let me say that publicly. We have Kraszewski, we have Booker, we have Lamar, we have Barley, we have Gable, we have our supervisors.

But over the weekend when all of us get this many calls, and people are questioning it, and then with all do respect because I say when Ralph Kraszewski places supervisors that's where they should go. But when I hear that supervisors are starting to run the show, let me say that publicly. I am not worrying about my political fall out with supervisors. But when they start running the show, there is a problem out there, because Kraszewski is the director.

I am telling you colleagues, there is going to be problems. When you take for example someone like Radcliffe and I will mention his name who is a very fine supervisor who's done two divisions. First of all, he's come into town, then he's out of town, then he's over at the Fourth, now he is over on the North Side. When you take a young man like Klinger who is doing a fabulous job in North Side and you bring him into town to do what? I am not sure.

Let me get off the names of personnel because I will get to that when I speak to Mayor Tom Murphy personally on this, because I have a memorandum going over there. But this whole issue, colleagues, keep in mind why we are doing this five-division plan. We continue to hire suburbanites who don't stay with their jobs, we hired Miller who yea is a fine guy. But he said we are going to the five-division plan. We are going to save $166,000. That's the reason we went to the five-division plan to save 166.

Well, David Miller is no longer with us and now I am questioning the $166,000. Because in order to placate people we had to make three supervisors am I right, colleagues? Let's tell it like it is. We needed another supervisor for construction. We needed another supervisor for the East End, Mr. James who probably got a promotion he should of received, but that is another supervisor. We took Klinger, who I don't know personally took him and brought him into town. Now there are three

supervisors. Let's go from 166 now we are below the 80 mark and continue to fall. I am just going to let it go because it is late in the day.

We need to have a meeting with a guy that I respect and that's Ralph Kraszewski. I want Ralph to tell it like it is. Because Ralph is not only a director like I always said, he's a teacher. He is a teacher of men and women. He's done a fine job down there and leadership ability. I want to know who got involved in this five-division plan and is screwing the whole thing up? Because when I have a problem with the South Side Slopes during the winter months, and when Dan Onorato has a problem in the North Side because his personnel is now taking on all the special events and downtown Pittsburgh and in the strip, you don't think Mr. Onorato and Gene Ricciardi are going to be upset?

I don't usually lose my patience, but I am telling you colleagues, there is a time bomb ready to happen. Ralph Kraszewski is in charge of that department. And all those men and women that work for Public Works should know it and the administration should respect it and this Council should work with Ralph.

Mr. Hertzberg:

Thank you. I am right now going to go call for an Executive Session on the topic of Public Works and it's management's. I would rather not discuss these issues publicly but there is no doubt there are some issues. One that I will state publicly is that all this information that Councilman Ricciardi has received and I have received and probably several other Council members have received has not come from Ralph Kraszewski or from any official communication which is not appropriate.

We should -- if changes are being made we should be informed of them. We have asked to be informed. We haven't been informed and hopefully at this Executive Session, which I would like to hold as quickly as possibly and as quick as the other Council members wants to do it. We can explore these issues.

The Chair:

Are you saying Executive Session because it is personnel matters?

Mr. Hertzberg:

Yes.

Mr. Ferlo:

Point of order, Mr. Chairman. I think we need a legal clarification here. I question Councilman Hertzberg's suggestion. I don't and there is a double edge sword here. I have no control and I don't want to in any way imply a precedent that I have any input or any control or any ability to influence the process of the Mayor and Director Kraszewski as it relates to personnel and public works. I don't, I have been that way for ten years. I don't get involved on a daily basis with the employees. I have no direct input to decide who is going to be a supervisor or who or who is not going to be a supervisor.

In my ten years I have certainly made recommendations when I was solicited or unsolicited and I think everybody here has done that. But I don't want to give any employee the notion that Council as a legislative body has anything to do with the Mayor and Kraszewski prerogative which is

to manage the personnel. I don't work with these people on a daily basis. I have good experience with personnel and I have had some bad experiences with Public Works Personnel. But that is not our role and function. If we are going to have an Executive Session. it is going to have to be very narrow and on some very succinct and specific personnel matter as it relates to some infraction that we think might be going on. I think then we might have a legal basis in which to have an Executive Session.

But to generally talk about the public Works reorganization of the division and the related supervision and those kinds of issues, I don't think we can veil that as a personnel issue. I think that's a management, it is a policy issue, it is a legislative matter and I don't think we can meet in Executive Session. I think it would be violative of our prerogatives as it relates to Executive Session. I just want to clarify that.

The Chair:

Are you concerned about the five divisions or who is calling the shots?

Mr. Ferlo:

It seems like -- I think people are responding over the weekend. I didn't get these calls. I assume something shocking over the weekend about personnel changes we all new that the union had a right to re-bid and I think that was to happen April I presumably this division plan is going to affect as we speak.

I have major reservations. I have spoken about that in the budget and we were told that we would have certain amounts of new positions beefing up each one of these divisions. If that didn't happen, I think we should have a public session and talk about the reorganization division. If there is an issue about who is the supervisor, who is on first, who is on second, I don't think that is our prerogative for one and two.

I know legally we cannot meet in an Executive Session on that. If there is something that is violative personnel wise and we want to have an Executive Session, or it involves Council's legislative prerogative or some statue or law that is not being followed, then I think we would be able to meet. I am not clear on what, if my colleague could better explain to me, what is the issue right now that we are trying to hone in on.

Mr. Hertzberg:

That would defeat the purpose of the session.

Mr. Ferlo:

I think some of my colleagues need to meet with the Mayor.

The Chair:

I am hearing from some employees for whatever reasons don't like the five divisions, the transfers. Again, we don't have a say in that.

Mr. Ferlo:

We new since December. We knew that for the last several months.

The Chair:

Well we need a follow up like as you said there was supposed to be a follow up to

see how it is working, and when it is working.

Mr. Ferlo:

It hasn't started yet.

Mr. Onorato:

Yes it has. That's the problem.

Mr. Ferlo:

I mean it is starting to be implemented but I don't know that we know what is happening.

Mr. Onorato:

Here is what happened. Councilman Ferlo is correct on one point and that is we were briefed in December on this downsizing from six to five. But I want to point out at that session, I asked the question will my supervisor be there? Yes. Will we get the additional personnel from the department that is being eliminated? Yes. I can tell you as of today, my supervisor is gone. The additional personnel are not there.

So what I was briefed on did not happen. I did not receive any official notification in writing from the administration saying why this is changing in personnel and why they shifted all the supervisors. But I understand why because I talked with some of them. But I am not even here for that reason. The problem now is it appears that what we were briefed on in December is not happening. Once again, I am not going to support growing the City at the expense of the maintenance of our neighborhoods.

We are so close to not being able to maintain our neighborhoods on the six-division principle. To go to five and I thought the idea of going to five was to eliminate management, to eliminate supervisory roles, and to keep the manpower of the workers at the same level. That is not what I am hearing. That is not what I am seeing being done. I am actually leaving this meeting when it is over to go straight to Division One on the North Side to talk with my new supervisor to see what we are doing, if we are able to handle the problems. Because we all know in one month we are smack in the middle of summer and what happens when the hot weather comes here.

My understanding is we are not going to be able to handle the North Side in addition to all of the major events downtown now. If that is the case, once again, the old established neighborhoods are paying for so called growing the City. I will not support that policy. It has got to be a partnership. I want my neighborhoods maintained. If that is not going to happen, then we are going to put a stop to some of this so called growth, because it is not growth it is a swap. I am going to call it a swap plan.

Mr. Ferlo:

Mr. President, I think I made it very clear, in December during the budget deliberations. I had even requested a special session if you remember around the Public Works changing reorganization of divisions. I still have those reservations. But we were powerless as a legislative body to actually have a direct impact on what the reconfiguration of the division would be. Presumably that is happening now as we speak. Councilman Onorato is correct, we should have a follow up meeting.

I mean we voted and the information that came from Director Kraszewski. While it didn't talk specifically at least that I can remember, around who would be on what base in terms of supervisors, there was specific information that the divisions that I represent in my neighborhoods make up had an increase in personnel at the laboring class, and at the truck driver level. I want to make sure that that actually happened. That was part of the agreement that I understood was going to happen regarding how the divisions were going to happen.

If that didn't happen, then we need to resolve this matter. We should have a Post Agenda meeting. I would strongly ask that Councilman Hertzberg, Chair, as the Committee Chair, that we get back in and review now that the pick is done and the Union went into effect April 1 what exactly is the personnel and the distribution and all the issues that we started talking about in December.

So I think Mr. Ricciardi is right and Mr. Onorato is right. But I think we need to do that in a public meeting and talk about it.

The Chair:

I agree with you and Mr. Hertzberg will you have I think both the Public Post Agenda and if you feel an executive meeting on the other subjects you want to speak about.

Mr. Hertzberg:

I really think we need to do this in Executive Session. We are going to be talking about a variety of different individuals here. I think those are the primary concerns here.

The Chair:

Why don't we do the Executive Session first then I think you still need a Post Agenda for the public's general information of what is going on.

Mr. Ricciardi:

That's a good idea.

The Chair:

We will have that.

Mr. Cohen:

Certainly the issues that have been brought up here are very appropriate to having these meetings. But with all do respect to Councilman Hertzberg especially when it comes to law which I have a great respect for him, I would need to be convinced that we need to go into Executive Session and I am not convinced on that. As far as I know from everything I hear, no employee is being disciplined or proposed to be disciplined or fired or any infractions of the law. I know we can have Executive Sessions on personnel, but I think with that kind of Executive Session could take us down a treacherous path and we have to be careful about that.

I would like if we could to keep it at a policy level, talk about personnel certainly, but have it really be the policy issue of moving from six zones down to five as opposed to talking about specific individuals. So I am not saying I am opposed to an Executive Session, but I need to be convinced. I know that would have to be a private conversation with Councilman Hertzberg that we need to do that.

The Chair:

Presuming he will have the right answers, is why he is requesting that Executive Session. I think he has agreed to both. Final word on the subject.

Ms. McDonald:

I feel there needs to be both. The reason is that lets face it when we are talking about Executive Session it's very clear there are specific names being bantered about. Everyone wants somebody in their division. Personally I think it is a just a disservice to a particular employee who is doing his or her job. Maybe up for promotion maybe transferred, it is a personnel matter. It is their matter. Why in the world should they be subject to their name being bantered about on public TV for everybody to watch? Why should their name be a household name? That is a disservice to our employees.

I think Executive Session would serve the employees. They are individuals to be able to give them a bit of a buffer from having their names bantered about and be like a public spectacle for us to talk about and claiming it is policy. Let's be honest with one another. There is policy issue and there is some real specific personnel issues that I think would be prudent to having an Executive Session.

So, I would ask for an Executive Session in addition to our public policy meaning when we discuss five divisions versus six divisions how many employees. But unfortunately when we get together and we are discussing this, names are going to be bantered about. I don't care how disciplined you think we are going to be it is going to happen.

I just think as a courtesy to the individual employees who are involved in this who -- they are in the middle. They are caught between a rock and a hard place. Give them the benefit of the doubt. Let's have an Executive Session so we can hash out personally what our real concerns are. Then if there is a public policy issue from the budget stand point or whatever, that -- yes, we definitely need to have that public -- I don't think Councilman Hertzberg is desiring to keep things hidden.

We are public officials and I am more prone to have things open up to the public. But you have to balance that out though with certain concerns such as like an individual's privacy or -- yes, they are a public employee, but they weren't elected like we are where we don't care if we are public. Just give them a little bit of buffer and discuss our very serious issues about promotion, demotion and transferring to an executive session.

The Chair:

Again I will agree with Ms. McDonald and you. I think Executive Sessions dealing only with personnel. If you want to explain and have it in writing why you're doing that and then a Post Agenda with the overall especially the six to five divisions I think is a concern for all of us.

Mr. Hertzberg:

I believe this is the last issue. I will try to keep it short realizing that we have been here awhile. But this afternoon at 2:00 in the parking lot across from Station Square which is immediately below the Wahlbash tunnel, there is going to be a community rally in opposition to what's called the recovery plan for the airport bus way and

Wahlbash tunnel project. I distributed a small package to all members of Council.

I won't read what is in it, it is kind of long. I will say though that over the past five years I had been a big supporter of the airport bus way Wahlbash tunnel project. It made a lot of sense for my district, it made a lot of sense for the region. It was a cost estimated of this project was $327 million. Once the project started, the cost estimates went up.

I don't think there is anyone in this room that would be surprised to find that out. It's very common in transportation projects. You' re going to run into some things that you had no reason to expect in the planning stage and the costs are going to go up. The unusual thing that happened with this particular project, when the cost went up, instead of people going to Washington and asking for more money and they made a decision to instead curtail the project. To cut it back drastically and they have cut it back so drastically that I am of the opinion that there is no sense in doing this project at all.

One of the most detrimental impacts of this cut back is that the airport bus way would end on West Carson Street. On a stretch of West Carson Street that is absolutely the worse stretch of what is already a bad road. That particular area on West Carson Street it is three lanes wide on one lane. The southern lane there is a retaining wall I would say 50 or 100 feet high on the other side the northern side of West Carson Street there is a cliff and some air. There is absolutely no room to go anywhere. We are going to put a new intersection there and funnel the buses onto that portion of West Carson Street. That plan makes no sense.

In addition what's going to happen, now that we have taken the bridge out of the mix for the airport bus way, but we have constructed the Wahlbash Tunnel we are going to for the second time have a Wahlbash tunnel reconstruction that will serve no purpose what so ever. We are looking at again wasting millions of dollars on reconstructing that tunnel. Because what you're going to have is a tunnel that goes no where but to Smithfield Street which is probably the most congested bridge in all of Pittsburgh. That's the current status of things.

I have worked for about the past year trying to build a consensus among elected officials to get a bridge. To pick a location and right now I am completely frustrated. I am trying to build a consensus behind the scenes has totally failed and the community has been urging me. I have letters here from residents, from businesses, from community groups that are opposed to this plan and want to do something. I think the time for trying to quietly build a consensus ended. It ended about a month ago when the Mayor said he wanted to go with a totally new bridge over the Ohio River and Brunots Island which is just so far off of the original plan it's amazing.

When he made that decision and Commissioner Cranmer quickly followed him and agreed with that, I just said this is it. I can't do this anymore. It's not working. We are going to have to try some other methods. That is what we are going to do today at two o'clock. That is what I am going to continue to do on this Council. I think you have all received letters from members of the building trades telling you there is some legislation coming up and you should be receiving a copy of my response. But this is just for the very next phase of the

bus way, which will take us the to Corliss Street Tunnel.

I have told the building trades that I am not going to sit here and allow the next phase to go on if that's basically going to be the end of the road. There is no point in spending any more money on this project if we are not going to do this project right, let's stop it. Heck we can use a bikeway or a walkway or something in the west. We have got them everywhere else. I will take one. The price tag is high but what the heck. It is not going to do any good to put buses on it. Might as well get some use out of it. I am really up here with this whole situation. We will be having this rally at 2:00 this afternoon. All of Council is invited.

The site that I chose near the Wahlbash tunnel, I am looking here for the photograph of the ground breaking. Ironically this was also the site of the groundbreaking. But under the recovery plan it won't even be part of the bus way now. This is now crazy this has gotten. This little picture, this little color picture that I have here that is hard to see, but there were so many elected officials in there, they couldn't even all fit in the picture. I do see some members of Council here. Even though it is in my district, I got cut out of this particular picture. I am tired of getting cut out. I have been ignored. I have been walked on in this whole process. All I ever did was cooperate to try to do this thing right and I have had it.

The Chair:

Really this is such an important project. It has been going on since I was in Council, Alan, I would request that you also call for a Post Agenda to have us updated on that.

Mr. Hertzberg:

What will happen is a piece of legislation if it does end up being introduced, I keep hearing it's coming. When it gets introduced, we are going to hold it for a Post Agenda and we will have all the appropriate people. In fact, I prefer to hold it for a Public Hearing, Mr. President. I think the community needs to be heard by Council. I think you all need to get informed on this and then perhaps we can build a consensus amongst Council on what the best thing to do with this problem is.

The Chair:

Thank you for your leadership on that role. Any more subjects you want to discuss? Do have I have a motion to approve the minutes.

MS. MCDONALD moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn?

MR. HERTZBERG moved to adjourn the meeting.

MR. DIVEN seconded the motion.

And on the motion made by Councilman Hertzberg, the meeting adjourned.

ADDENDUM

Mr. Cohen's comments on Bill 69 can be found in the Standing Committee Meeting Minutes of April 1, 1998.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, April 14, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

We all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

In your prayers we would like to remember John King, father of Joe King President of the Pittsburgh Fire Fighters Union, who will be laid out today and tomorrow at O'Bryan's Funeral Home.

With us today we are honored to have Anthony Istik who is in the fourth grade, he is nine years old. He's accompanied by his parents, Patty and George. He is from the Third Council District, in Mr. Ricciardi's and he is a student at Grandview school.

Anthony Istik:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Anthony, we want to thank you for coming down. We have a flag of our City and our Country to present to you, and your Councilman Mr. Ricciardi.

The Chair:

We have many special guests in the audience today.

PRESENTATIONS

Ms. McDonald:

Would all the representatives of the new Pittsburgh Zoo to receive a resolution on behalf of the entire body of City Council please come up. Thank you all for coming.

Before I read the resolution, as I say your name's, just raise your hands so people can see who are the people behind the Pittsburgh Zoo the new Pittsburgh Zoo that

we have.

Of course, Ken McCrory, Dr. Barbara Baker who is President and CEO, Ken is the Chairman of the Board, Frank Pizzi Curator of Horticulture. If I mess your name up, I am very sorry. The Board of the Pittsburgh Zoo as well as the staff is huge. I am a relatively new member, so if I get it wrong correct me. Let's get it right for the record. Dr. Don Neiffer, Staff Veterinarian, Lee Nesler, General Curator, Donna Anderson, Human Resources, Margie Marks, Curator of Education, Henry Kacprzyk, Curator of the Kids Kingdom and star of the Internet, Susie Wean, Board Member, Nick Palazetti, Senior Director of Development, Theresa DeIulius, Administrative Assistant to Dr. Barbara Baker, John Duvall, Facilities Maintenance Manager, Philip Petraglia, Director of Finance and Operations, Dr. W. R. Langbuaer, Jr, Director of Science and Conservation, Dr. Carolee Wallace Switalski, staff Veterinarian, and Dr. Mardi S. Royston, Centennial Celebration Chair and Board Member, and Faith Gallo the landlord, the Director of Parks and Recreation.

These are some of the people and this is only a fraction of the Board Members and staff members that you see making the Pittsburgh Zoo the success that it is.

I will read the resolution.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 309 WHEREAS, In 1898 the Honorable Christopher Lyman Magee and his associates founded the Pittsburgh Zoo; and

WHEREAS, Animals were originally housed in two separate locations when they first came to Pittsburgh. Endangered Species resided either in Schenley Park or in Riverview Park. The barred cages that animals had to stay in were often uncomfortable and injurious. Therefore, in 1895 Mr. Christopher Lyman Magee, along with many prominent Pittsburghers donated money for the construction of a Zoo. They also donated money for the purchase and transportation of animals to the new facility. The building was constructed on a plot of land covering about 100 acres. This land was donated by the City of Pittsburgh.

WHEREAS, The Pittsburgh Zoo received these and countless other animals from places such as Ringling Brothers Circus, Louis Ruhe County Zoo, Germany, and Siberia. On Monday, June 13, 1898 the new Zoological Buildings were legalized and approved by the Building Committee. Over time the Zoo has created numerous additions to accommodate people and animals. Additions such as the Children's Zoo in 1949, the Underground Zoo in 1961, the Aqua Zoo in 1967, and the Asian Forest in 1983; and

WHEREAS, This new zoological garden lasted for over sixty years. However, due to outdated and frail construction, the Zoo's west wing was torn down in June, 1984. The rest of the building was demolished in October 1984. Soon thereafter, the entire Zoo was renovated. This renovation served as a catalyst for enhancement and expansion. As a result of major improvements, including the African Savanna exhibit in 1987, the Pittsburgh Zoo received its formal accreditation from the American Association of Zoological Parks and Aquariums in 1986;

WHEREAS, Currently, the Zoo shares no likeness to its turn of the century prototype. Animals live in surroundings that are equivalent to their natural environment.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends The Pittsburgh Zoo on its continued dedication to the reproduction and preservation of endangered species for 100 years, and wishes the future Pittsburgh Zoo and Aquarium continued success as it serves as a treasured amenity for the greater Pittsburgh region.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

I am going to now defer remarks to Councilman Ferlo because the Pittsburgh Zoo proper is situated in his Councilmatic district and you should be up here, Jimmy.

Mr. Ferlo:

As I have always said, the Zoo is everybody's Zoo not only my Council District, obviously. But more importantly, not only the City of Pittsburgh. But fortunately, because of the Rad resources something that this Council, myself included, lobbied for along with our previous Mayor. Clearly the Zoo has been put in a better financial footing. I think we have seen that not only in the Capital Program but the operation of the Zoo.

I still believe it should be run by the City of Pittsburgh but that decision was made by Council's prior administration.

I think what is important is we have a great opportunity with the Rad resources and clearly the stewardship of the Zoo is in good hands. I met recently with Dr. Baker. We in the community, not only in Highland Park, but Morningside and Lawrenceville, we would like to see the Zoo parking lot extend into the Hess Run area. We in the community would like to take back Hess Run for additional little league and football fields. We have great opportunity to take that ravine back for the Zoo needs and some for the community needs.

As well, I would hope that the Zoo would consider, in its longer-range master plan, better integration of the park. Which has been a longstanding concern to the Highland Park residents. I do want to thank the Zoo for letting Highland Park residents and others to come down the hill to go through the Education Center to get into the Zoo as opposed to going all the way around. That's very helpful.

I just recently got a mailing, I am sure many other residents city wide received, probably one of best pieces of literature I have ever seen put out by an institution. I thought it was one of the best promotional recruitments. I don't know who is responsible for it but probably the Development Team and Dr. Baker and everybody else. But that was an excellent out reach recruitment membership brochure. I was very impressed. I am hoping that it will yield great return in commitment from our residents.

I want to thank the Zoo and all the folks for their very good hard work. You are in, you're out.

Ms. McDonald:

We want to thank Councilman Ferlo for being so supportive and so active in the Highland Park community, which does support the Zoo. Of course, I was at an Easter Egg Hunt on Friday. I had to give due honor to you, Jim. Some people kept asking me about the super playground. I said you have to thank Councilman Ferlo not me for that.

Mr. Ferlo:

We did the statue renovation but we are doing a major Victorian Garden, which I think will also add to the ambiance of the Zoo. There is really a direct link between the Zoo and the park itself. We really hope to build on that relationship.

Ms. McDonald:

I do want to say before I step aside and let everyone else take this mic, I am going to put a plug in. I don't care what anyone feels as far as the Rad tax, but I very much do support and I will guarantee I will be fighting to keep the Rad tax intact. Because the Pittsburgh Zoo is an amenity that we cannot afford to under fund. It needs those monies. It serves the entire Allegheny County and surrounding counties. For anyone who is mouthing off about this tax, I would suggest that you stop flapping at the gums for just a minute. Visit the Zoo; visit the Aviary; visit all of our regional assets. Go to the parks and then you take a step back and think what would happen to these wonderful facilities if there was not adequate funding in place to support them.

So again, I am taking this mic and say whoever is out there trying to destroy the Rad tax, forget it. You're going to have me as an enemy because I think this is one amenity that we need.

Mr. Onorato:

Actually I just want to congratulate the board. I also sit on the Aviary's Board, which is the same situation. When we discussed these public private partnerships years ago on Council, there were a lot of question marks. I am pleased to say that with hindsight now that Council had this group and a lot of other interested parties, we have made the right decision. These facilities have never looked better in the last forty years and that includes Phipps too. The three of them are unbelievable.

If you look at the attendance, which is what I always look at, anyone paying this tax can -- we can show now that this is truly a regional tax because this is not a City of Pittsburgh asset. It happens to be located in our municipality, but this is truly the region. These people are coming in from all over. All over the county but outside the county also. This is something that benefits all of us. I am just pleased and proud to be able to house these facilities that are in the City.

You should be congratulated because the Board has taken their position seriously in holding this public trust, which is something a lot of us were nervous about. If we would have failed, I think the funding would have dried up fast. You would have had a lot of people trying to take away the funding. But these three success stories make it very easy for us to go out and show why it was important and how we saved these assets. I believe they probably would have been closed by now if we didn't do this. I want to thank you.

Mr. Cohen:

My wife took our kids to the Zoo yesterday. She came back saying I was scared. Not because of anything at the Zoo but because there was so many people there yesterday. She was worried she was going to lose our four-year-old. That frankly is a tribute to you that so many people are coming out to the Zoo. They are doing it because it is a professional institution and you have done a remarkable job. Maybe you ought to think about at some point putting a stop to it because there are so many people at the Zoo that there might even be too many for the premises. I don't know if you get to that point, but I will let that one go.

I do want to just congratulate you on doing a phenomenal job. From the time that City Council made it's decision and I was here at that time. We were not sure how it was going to turn out and it has turned out very well. You have done an excellent job. Thank you.

Mr. McCrory:

I would like to thank City Council for this very fine honor. Particularly Councilwoman Valerie McDonald who is on our Board and President Bob O'Connor. Councilman Cohen we have a tremendous loss child drill. So you don't have to worry. We have not loss one yet. For Councilman Ferlo, we are always open to suggestions, Jim. That's my business card. Please give me a call with any thoughts that you have. We welcome it, we really do.

I would like to thank everyone because this 100th Anniversary for the Zoo is particularly important to us. It is a way particularly with the millenium coming up to get into the next century and build on what we have.

We have announced a wonderful new Aqua Zoo that we are going to be building, $12.5 million, which is going to make the City of Pittsburgh even a better destination than it already is.

I would like to invite all of you to our 100th Anniversary Party June 6 for the kids and June 13 for the adults. You can all come to both. Councilwoman McDonald has said that she can dance any man on City Council under the table that night. So I want to see it.

Please come out. All the money will go to support the new Aqua Zoo. We would love to have you. Thank you again for the honor.

Ms. Baker:

Once again I would like to thank Council for all you have done in support of the Zoo. It has been a long time since I have been to these hollow chambers. It is so nice to see everyone with smiles on their faces because it has been a while since I have been here. But I think it is such a historical moment. Can you imagine how much excitement at the Pittsburgh Zoo, a hundred years old? What a treasure. It really has been.

We are doing a Centennial book on the Zoo right now. One of the things we are researching is all the wonderful stories. People remember the Zoo. It is an integral part of the life of people in Pittsburgh. That's what is really neat about it. It has always been a fabulous facility, not just now but 100 years ago when it first opened.

It was a treasure; it was the largest collection in Pittsburgh of wild animals. It's a treasure now. It's the most visited cultural

attraction in Pittsburgh. Which is amazing. I keep tracking those Pirates because I think we can beat them out one year if we work hard. We almost did during the strike. They were 825, we were at 750. We were hot on their tails.

I think what is neat about the Pittsburgh Zoo and certainly brought me here originally is the community support. The community interest and the pride that people have for Pittsburgh Zoo. It is really a regional treasure. It's amazing the number of people that come to the Zoo, come often and come over and over again. You will see at the Zoo. So parking is a concern because we have got to continue to get people to the Zoo and have them have a wonderful time.

People forget what they have in Pittsburgh. I think it is a Pittsburgh thing. Because the Pittsburgh Zoo is 77 acres. That's a medium to large Zoo in our country. We are one of the top 15 Zoo's in the country and always have been really. 20 years ago the Pittsburgh Zoo was one of the top 20 Zoos in the country, well recognized, wonderful breeding programs. We have bred black Rhino's at our Zoo. Wonderful collection of gorillas. We have one of the largest collections of gorillas in the country. We have a world-renowned corral reef propagation program where we are breeding corals at the Zoo, reproducing corals at the Zoo. So people have this wonderful treasure right in their back yard.

People often ask me what can you do most to support the Zoo. What you can do most to support the Zoo is come to the Zoo and visit, visit often. See the wonderful facilities and give us ideas. It's amazing the ideas and wonderful comments we get from people about the Zoo.

I want to be sure to thank the staff because people always complement me. I am out in the community a lot because that's what my job is involved with. But the staff does a wonderful job back at what I call back at the house, back at the Zoo, back on the grounds. They're working hard out there to keep the park clean, to have the animals happy and healthy, and to have everything that goes out of the Zoo and into the Zoo be top quality and excellent quality at the Zoo. So I think the staff does a wonderful, wonderful job. They work very hard, many long hours and they are very dedicated and committed to this regional treasure.

I would also like to comment on the Regional Asset District because it is the key to our funding at the Zoo. Very very important. It's given the Zoo the opportunity we didn't have before which is to grow and to prosper. We had a very nice Zoo, but now we have an excellent Zoo. The difference is the Regional Asset Districts. Because it gives us that amount of money that allows us to have a good solid foundation. So we can try things and do new things like our new Kids Kingdom area and our new aquarium that we are building. So it is an integral part of our lives at the Zoo. We would be very very lost without it. It's extremely important for people to keep in mind.

The Regional Asset District provides 33% of our funding at the Zoo on our budgets. So that's extremely important.

Thank you so much for sharing this historical moment with the Zoo. I do invite you to come to our Centennial gala. We are expecting about 1500 people in support of the Zoo that night. We are going to dance all night, have fireworks at the end. Have a lot of animal encounters at the Zoo that

night. So I hope you will come out and visit us.

We have a lot of other things going on at the Zoo this year, in commemoration of the centennial. We started out with Comona dragons. They are on display at the Zoo. We are going to have Koalas in September. Just this past weekend we opened our traveling exhibit in our discovery pavilion in Kids Kingdom called animal super senses which is a wonderful display of information on animals and how animals see and think and hear and smell and locate in their own environment.

I invite you to come out. We are anxiously awaiting the birth of our baby elephant, which we hope will happen successfully this spring. So cross your fingers on that. Thank you very much for sharing in the history of the Pittsburgh Zoo. I look forward to the next hundred years. Thank you.

Ms. Gallo:

Can you imagine how wonderful it is to be landlord of an entity that is putting a $12 million addition on the facility? It's very exciting. 100 years is a very important mark. I have to congratulate Barbara and your staff. You all do a wonderful job over there. I love visiting the Zoo.

Ms. McDonald:

There are two housekeeping items that I would like you to touch upon, Barb Baker. The safari that I don't have the money to go to. I want to. The safari to celebrate the centennial and a possible street renaming.

Ms. Baker:

I will do the safari first. One of the things we wanted to do to celebrate the history of the Zoo is go back to Africa where many of the animals were originally bought and brought back to the Zoo. They were brought by dealers in Germany which was mentioned in the proclamation. They went to Germany and then were transported out to the Zoo. That was the way actually wild animals were handled 100 years ago. We don't do that now. It is not the way modern Zoo's work.

Now modern Zoo's work with captive animals but Africa is an integral part of the Pittsburgh Zoo. We have a lot of wonderful animals on display from Africa at the Zoo. Have a wonderful African Savannah area that opened in '87. So we are having a Centennial safari, two Centennial safari's going out. August 15 through 30, I am leading one that goes out August 15. We have another staff member who is leading one that is going out the very next day. In celebration of the Zoo.

Can you imagine having your name included as a member of the party that went out to Africa for the Centennial celebration of the Zoo? That's very exciting.

Also in celebration of our research work in Africa where we are working with elephant collaring, elephants to learn how they communicate across great distances. You have an elephant herd over here and an elephant herd over here miles away three, four miles away. Yet they know what the other group is doing and they know how to find each other. How do they do that? How do they communicate? That is what we are looking at in our research projects, which really are worldwide. So that's very important to the Zoo.

Secondly the fun thing. We have a road that goes through the middle of the Zoo. It is now called Hill Road. The Zoo is the only thing located on that road. So we thought as a part of our Centennial celebration that it would be a fun thing to do and a wonderful thing to do is to rename that road to have it signify something about the Zoo. So we picked a new name for the road and that has been approved now. So the Pittsburgh Zoo's new address is going to be the Pittsburgh Zoo, One Wild Place, Pittsburgh, PA. So our new road name is One Wild Place and the signs will be going up as soon as they come out of the shop.

We think that is a lot of fun. It says a lot of things. It says fun, it says excitement. It says wild, it says where you need to go, the one wild place in Pittsburgh that you need to come to see exotic and wild animals besides down here. So we want to have an opportunity to have everybody know where they need to be. We are very excited about that.

Ms. McDonald:

I would hope that Dr. Baker and Kenneth you will be working with Councilman Ferlo since I am sure there is some legal bureaucratic mumbo jumbo that has to go on. I am sure it will come through our Chambers. Thank you all very much.

I also want to say, my staff member Twanda Carlisle, thank you very much for all the efforts that you put forth in getting this resolution. She wanted some animals here that's why she is pouting. She was really looking forward to those animals. I mean really but it was too damp outside.

Mr. Cohen:

Councilman Diven just informed me that unfortunately we are not going to be able to rename that street because we were going to rename Grant Street One Wild Place.

The Chair:

I have a resolution from the Ladies Hospital Aid Society. We have Anna Kann is the President and Essie Shore is the Past President. Please come up. Mr. Cohen co-sponsored it and it is co-sponsored by all council members.

MR O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 310 WHEREAS, Ladies Hospital Aid Society was organized by seventeen women in 1898 to found and support a hospital under Jewish auspices, and the formation of Montefiore Hospital Association, and

WHEREAS Ladies Hospital Aid Society was the first voluntary association in Pittsburgh to fund a motorized ambulance, a professional medical social work department, and trained occupational and recreational therapists and continues to support innovative activities in a hospital setting, and

WHEREAS, Ladies Hospital Aid Society supported the first clinical research laboratory at Montefiore Hospital and provides ongoing support for medical research at UPMC Health System, and

WHEREAS, Ladies Hospital Aid Society has provided scholarships for student nurses at the Lilliane S. Kaufman School of Nursing and continues to provide scholarship aid for hospital volunteers

giving at least 100 hours of volunteer service to patients and their families, and

WHEREAS, Ladies Hospital Aid Society was the first to fund a program of the Jewish Family and Children's Services for Domestic Violence Prevention and continues to do so today. and partners with others such as the Jewish Community Center to build a physician residence at Emma Kaufman Camp, a health room at the Jewish Education Institute and kitchen facilities for Jewish Residential Services, and

WHEREAS, Ladies Hospital Aid Society has given generously to assure a Women's Heart Center, Pittsburgh Cancer Institute and Genetic Education and Counseling Center in association with UPMC Health System, and

WHEREAS, Ladies Hospital Aid Society will devote its Centennial Year to increasing support for the Memory Impairment Neurological Disorders (MIND) Unit with the Jewish Association on Aging.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Ladies Hospital Aid Society of Western Pennsylvania and extends its thanks to the 1,500 members, for the hundred years of dedicated commitment to act on Jewish values in support of people in need of health care and related services.

BE IT FURTHER RESOLVED, in recognition of the 100th Anniversary of the Ladies Hospital Aid Society, the Council of the City of Pittsburgh does hereby declare April 20, 1998, as "Ladies Hospital Aid Society Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Congratulations again, Anna. Will you please come up?

Ms. Kann:

I want to thank City Council for this honor today. We are 100 years old and we hope to continue for another hundred years to be assistance to the general community in Pittsburgh with health needs.

Ms. Shore:

I just want to say how proud I am of the Ladies Hospital Aid and of the city we live in. We have committed ourselves and dedicated ourselves to many more years of health care in Western Pennsylvania. I would be remiss if I didn't tell you that during my term in 1990 to 1992 as President of Ladies Hospital Aid, I had the very best Board Member and that was Ida Mintz, Grandmother of Dan Cohen. I guess she was about 92, came, never missed a meeting and didn't come in just to sit. She came to help us make some terrific decisions about the health care in our community.

We thank you for your proclamation today.

Mr. Cohen:

Thank you especially, Essie. I really appreciate that. I know my grandmother does too. She usually watches these meetings. It's hard to believe from looking back from today but when Jewish medical students that were coming out of medical

school, it was very very difficult, virtually impossible to get jobs at the mainstream hospitals. That's why Montefiore was built and Ladies Hospital Aid Society was instrumental in putting that together and supporting that.

I just want to congratulate you on 100 really wonderful years and a 100 years of giving. Because what Ladies Hospital Aid does is they give numerous scholarships, they contribute to many, many charitable organizations, medical non-profit organizations, that of course help to increase public health in our community. I just hope that you keep going on and on for at least 100 more years. I want to congratulate you on this Centennial celebration. Thank you so much for coming down.

The Chair:

I believe two to be read into the records.

MS. MCDONALD PRESENTS:

No. 311 WHEREAS, on Tuesday, April 7, 1998, the Western Pennsylvania Chapter of the National Society of Fund Raising Executives will participate in Fund Raising Day in Pittsburgh at the Marriott City Center; and

WHEREAS, the theme of this year's conference is "The House that Annual Funds Built". The Society will honor Mr. Richard J. Mahoney, CFRE, Executive Director, Washington Hospital Foundation. He is the Western Pennsylvania Chapter's 1997 Outstanding Fund Raising Executive; and

WHEREAS, with its national headquarters located in Alexandria, Virginia, the National Society of Fund Raising Executives (NSFRE) is the only individual member professional organization dedicated exclusively to the advancement of fund raising management for all fields of philanthropic services, the development of individual proficiency, and the achievement of social and human service objectives; and

WHEREAS, for over three decades, the National Society of Fundraising Executives has united and promoted the goals and achievements of fund raisers worldwide, and the organization now boasts more than 14,000 global members in 130 chapters; and

WHEREAS, NSFRE enriches its members with a full range of benefits, services, and educational opportunities, invaluable publications, state-of-the practice seminars, professional certification, and affordable insurance programs.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends the Western Pennsylvania Chapter of the National Society of Fund Raising Executives for its commitment to preserving and enhancing the philanthropic process in our society.

MR. O'CONNOR PRESENTS:

No. 312 WHEREAS, since 1974, The Champions Association Inc., has served the community of Pittsburgh by helping people to help themselves through the participation in athletic programs and friendly competition; and,

WHEREAS, The Champions Association, Inc. is guided by the philosophy that Champions Are Not Born,

They Are Made, Through Desire, Determination And Dedication; and

WHEREAS, The Champions Association Inc., and the 1998 sponsors, Cameron Coca Cola, McDonalds Corporation and Fiserve Corporation, proudly present The 23rd Annual Kenney Durrett Western Pennsylvania PREP All-Star Basketball Classic; and,

WHEREAS, this competitive and exciting basketball tournament will take place at Taylor Allderdice High School Gymnasium on Saturday, April 18, 1998, at 4:00 PM. These games are a key part of The Champions' overall effort to improve the quality of life for the young people of the City of Pittsburgh through programs that are focused on education, athletics and opportunity.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Champions Association, Inc. and their sponsors for producing this great basketball tournament and for the Champions Association's many years of service to the people of Pittsburgh that raise the confidence, skill and spirits of our most precious resource – the young people of this city.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, April 18, 1998, to be "The Champions Association's 23rd Kenny Durrett All Star Basketball Classic Day" in the City of Pittsburgh and encourages all people to support this event by attending the competition games at Taylor Allderdice High School.

MR. HERTZBERG moved to adopt the resolutions.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of papers.

MR. DIVEN PRESENTED:

No. 313 Resolution authorizing the Mayor and the Deputy Director of the Department of Public Safety or the Chief of Communications to enter into a Cooperation Agreement or Agreements with Allegheny County for the relocation of the Emergency Operations Center to Lexington Technology Park in North Point Breeze, Council District 9.

No. 314 Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of office furniture, fixtures, equipment and related accessories, and providing for the payment thereof, total cost not to exceed Sixty Thousand Dollars ($60,000.00) chargeable to and payable from the Local Law Enforcement Block Grant Trust Fund, Fund 2445, Org. No. 230000, Subclass 600, Account 540000, Budget Year 1998, Department of Public Safety.

Which were read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 315 Resolution Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Design Services in

connection with the Rehabilitation of the South Millvale Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof, not to exceed $500,000.00 chargeable to and payable from the following:

Account 600000, Fund 5100, Org. 301000, Sub PGHPR, Project Grant 223910, Budget Year 1998, Amount $107,500, City

Account 600000, Fund 5100, Org. 301000, Sub PGHPR, Project Grant 223910, Budget Year 1998, Amount $392,500, State

Total: $500,000

No. 316 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Design and Construction of the Grandview Photography Park in Mt. Washington; and providing for the payment of the cost thereof, cost not to exceed $27,000.00 chargeable to and payable from the following: Account 600000, Fund 5100, Org. 301000, Project Grant 2239100, Budget Year 1998.

No. 317 Resolution providing for a Cooperation Agreement with the Port of Pittsburgh Commission for the city's share of costs for the Design and Construction of the Allegheny River North Shore Passenger Pier; and providing for the payment of the costs thereof, not to exceed $100,000.00 chargeable to and payable from Account 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2239102, Budget Year 1998.

No. 318 Resolution Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with Miscellaneous Repairs to Streets and Structures and for the purchase of materials and supplies for such repairs; and providing for the payment of the costs thereof, not to exceed $50,000.00 chargeable to and payable from Account 600000, Fund 2610, Org 301000, Sub-Class C1997, Project/Grant 2231024, Budget Year 1997.

No. 319 Resolution Providing for a Contract or Contracts, or use of existing Contracts for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof, not to exceed $40,000.00 chargeable to and payable from the following:

ACCOUNT 600000, FUND 5100, ORG 301000, SUB-CLASS PGHPR, PROJECT/GRANT 2245920, BUDGET YEAR 1998

No. 320 Resolution Further amending Resolution No. 838, effective January 1, 1998, entitled "Resolution adopting and approving the 1998 Capital Budget and the CDBG Program; and approving the 1998 - 2003 Capital Improvement Program" by amending the title of a line item (Queen Fleet Docking Site).

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 321 Providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements

and emergencies at various parks and park facilities in CD areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof., at a cost not to exceed Four Hundred Seventy-Five Thousand Two Hundred ($475,200.00) Dollars, chargeable to and payable from Fund 2610, Org. 400000, SubClass C1998, Project 2245001, Budget Year 1998, Park Reconstruction, Department of Public Works.

No. 322 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements and emergencies at various parks and park facilities throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed One Hundred Seventy Thousand ($170,000.00) Dollars, chargeable to and payable from Fund 5100, Org. 400000, SubClass PGHPR, Project 2245001, Budget Year 1998, Park Reconstruction, Department of Public Works.

No. 323 Resolution Providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1998 and providing for the payment of the cost thereof, not exceed Two Hundred Ninety-Seven Thousand Six Hundred ($297,600.00) Dollars, chargeable to and payable from Account 527900, Fund 2610, Org. 400000, Sub-Class C1998, Project 2220082, Budget Year 1998, Property Management, Department of Public Works.

No. 324 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed Three Million Two Hundred Fifty Thousand ($3,250,000.00) Dollars, chargeable to and payable from Fund 5100, Org. 400000, Sub-Class PGHPR, Project 2239000, Budget Year 1998, Citywide Resurfacing, Department of Public Works.

No. 325 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed Two Million Three Hundred Ninety-Seven Thousand Eight Hundred Ten ($2,397,810.00) Dollars, chargeable to and payable from Fund 2610, Org. 400000, Sub-Class C1998, Project 2239000, Budget Year 1998, Citywide Resurfacing, Department of Public Works.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. HERTZBERG moved to suspend Rule 8 on all these by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 326 Resolution providing for an Agreement or Agreements with Contractor/Contractors, or use of existing Contracts, and for related Administrative/Implementation costs, for the City's burgeoning riverfront and inland "Trail Development Project", at a cost not to exceed $460,000.00, chargeable to and payable from Department of City Planning, "NPA" Trail Development, 5100-110000-PGHPR-2205904-1998.

No. 327 Resolution Providing for an Agreement or Agreements with a Consultant or Consultants for the development/implementation of East Liberty-Penn Circle Rehabilitation (the transportation component with a multi-faceted approach to the revitalization of East Liberty) at a cost not to exceed $150,000.00, chargeable to and payable from: Department of City Planning, "NPA" East Liberty Penn Circle Rehabilitation, 5100-110000-PGHPR-2205901-1998.

No. 328 Resolution Authorizing the City of Pittsburgh to submit grant applications to, and execute relevant agreements with, the Pennsylvania Department of Conservation and Natural Resources under the provisions of the Pennsylvania Recreational Trails Program. The grant application will address Trail construction of the Swinburne connection from Downtown/Oakland Riverview trail to Panther Hollow. Maximum grant request would be $20,000 and would be matched by $20,000 from the City Capital Budget line item "Trail Development".

Which were read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED.

No. 329 Resolution providing for an Agreement or Agreements and to provide administrative/operating expenses including, but not limited to, advertisements, supplies, equipment rental, and other miscellaneous expenses associated with the administration of the HOPWA, at a cost not to exceed $463,000.00.

No. 330 Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Housing Partnership L.P. IV for the Sale of the following properties in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27, Council District No. 6 (Residential Rehabilitation and Rearyard): (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Address 1327 Columbus Avenue
BL 22-K-29,
PP $1,000.00+Costs

Address 1325 Columbus Avenue

BL 22-K-30
PP $1,000.00+Costs

Address 1323 Columbus Avenue
BL 22-K-31
PP $1,000.00+Costs

No. 331 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Business amd Industrial Development

Corporation, Inc., or an entity to be formed, for the sale of Lot 1 and Parcel 1A(Block 22J Part of Lot 151) in the Twenty-first Ward of the City of Pittsburgh in Redevelopment Area No. 11, Beaver Avenue at Metropolitan and Franklin Streets, Council District No. 6 (construction of office building). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 332 Providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s) and/or contract(s) for matching funds in conjunction with a Federal grant for the Copsmore96 Program for any and all expenses associated with the purchase of computer equipment, software, communications equipment, analysis, design, development, programming, professional services, and maintenance in conjunction with the feasibility, development, enhancement or implementation of the Mobile Data Terminals, New Computer Aided Dispatch System, and Imaging Application and Copsmore95 Program as they relate to Public Safety Applications.

No. 333 Amending Resolution No. 838, effective January 1, 1998, entitled "Resolution adopting and approving the 1998 Capital Budget and CDBG Program; and approving the 1998 through 2003 Capital Improvement Program" is hereby amended by decreasing line item entitled Consent Decree Implementation, Account 542700, Fund 5100, Organization 102000, Sub-class PGHPR, Project 2261556, Budget Year 1998, by Seven Hundred Fifteen Thousand Dollars ($715,000) and by increasing line item entitled Copsmore Program, Project 2261555, Organization 102000, Sub-class PGHPR, Fund 5100, Account 526100, City Information Systems, by Seven Hundred Fifteen Thousand Dollars ($715,000) from Seven Hundred Fifty Thousand Dollars ($750,000) to One Million Four Hundred Sixty-Five Thousand Dollars ($1,465,000).

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Any unfinished business to come in front of Councilman. Hearing none, move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 334:

Report of the Committee on Finance and budget for April 7, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 276:

Resolution authorizing the transfer of one thousand dollars ($1,000.00) from Miscellaneous Services, Department of Public Safety to the Animal Fighting Trust Fund.

Which was read.

Also,

Bill No. 284:

Resolution providing for the issuance of a warrant in a sum not to exceed $15,000.00 to the Commonwealth of Pennsylvania, Department of Transportation, 45 Thoms Run Road, Bridgeville, Pa 15017, in full and final settlement of the action filed at court of common pleas gd96-1636, alleging that the city of Pittsburgh was liable for causing and correcting a landslide occurring at the 8400 block of Frankstown road in the city of Pittsburgh on and after January 19, 1995.

Which was read.

The Chair:

You have heard the reading and title of the bills. Any discussion on the bills? The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and are passed finally.

MS. MCDONALD PRESENTED:

Bill No. 335:

Report of the Committee on Parks, Recreation and Youth Policy for April 7, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 281:

Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed $94,550.00 in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 282:

Resolution providing for an Agreement or Agreements with Brashear Association in the amount of Ten Thousand ($10,000.00) Dollars for operational/administrative expenses of neighborhood facilities for the benefit of the residents of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? The bills are now ready for final action. All in favor of the passage of the bills will vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken according to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

The bills have received the legally required number of votes and are passed finally.

MR. DIVEN PRESENTED:

Bill No. 336:

Report of the Committee on Public Safety Services for April 7, 1998 transmitting one ordinance and sundry of resolutions to Council.
Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 275:

An Ordinance amending the Pittsburgh Code, Title 6 Conduct, Article 3 Dogs, Cats and Other Animals, Chapter 633 Dogs and Cats by adding Section 633.21 entitled "Animal Fighting Reward Program

Which was read.

Also,

Bill No. 277:

Resolution authorizing the City Controller to create a special trust fund, to be designed as the Animal Fighting Trust Fund, for the deposit of cash, private contributions, grants and transfers and authorizing the use of said funds deposited for issuing rewards.

Which was read.

Also,

Bill No. 278:

Resolution authorizing an Agreement or Agreements with a consultant or consultants for infectious disease services for the Department of Public Safety, and providing for the payment of the cost thereof, cost not to exceed $50,000.00.

Which was read.

Also,

Bill No. 279:

Resolution providing for an agreement with Pittsburgh Mediation Center for professional services at a cost not to exceed Twenty Thousand Dollars ($20,000.00), and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 280:

Resolution providing for an Agreement with a psychologist for professional services at a cost not to exceed $75,000.00 and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 239:

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a vehicle and related accessories, for the Emergency Operations Center and providing for the payment thereof. Cost not to exceed $25,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President, on Bill 239 this has been bantered back and forth. This is the $25,000 expenditure for another van or vehicle for the Department Director, in this case EOC operation. We did ask, I hate to keep picking on this bill and this expenditure which I don't support, because I don't believe the van is needed. I think there are other priorities in EOC for equipment and other obligations that we have. But we asked specifically for something in writing which explained what the perimeters of the PEMA grant were in writing so we would understand what our eligible expenditures were under this grant.

We also asked the obvious second part of that is what are all the capital priority needs of EOC as it relates to equipment, you name it, whatever the staff's needs are, whatever the operational needs are, what have you. I don't know how we can evaluate what is the best use of these funds unless we better understand what the perimeter of the grant is and what are the other capital needs of EOC.

If we have to vote on this today, I am still going to vote no because I don't believe that the vehicle is needed. The other vehicle only has 40,000 miles on it. I agree with Councilman Ricciardi's infamous words about how people spend money for their families. I agree with him. It is just not fair for us to cast a final vote on this today.

The Chair:

I was looking forward to seeing what the guidelines were for the PEMA grant.

Mr. Ferlo:

I wanted to ask the City Clerk if she received any information. I didn't.

The Chair:

I didn't receive it.

Mr. Diven:

I haven't.

In light of the fact that we haven't received the requested information, I am

prepared to vote for this but not today, not until I can see that information.

The Chair:

That's under the your department?

MR. DIVEN moved to recommit Bill 239.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Briefly on Bill 278 and Bill 280, I would like to have my comments brought forward. Once again I will be voting no to be consistent with the six-year request. This is a perfect example to get the universities and the hospitals to give us services in lieu of taxes. Once again, we are not doing it. So, I will be voting no because I think we are missing a golden opportunity.

(See Addendum for comments)

The Chair:

The bills are now ready for final action, all in favor of the passage of the bills vote aye when your names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Onorato voted noe on Bills 278 and Bill 279)

Bills have received the legally required number of votes and are passed finally.

The Chair:

Moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

Ms. McDonald:

On the issue of the investigation, the internal investigation and I would hope a definite follow up for the situation for the Green County State Corrections Institute and the problems of the guard being accused of abuse and what have you against the prisoners. I will say for the record that as a Councilwoman I receive tons of letters from prisoners. Whether from the North Side facility, out in Greensburg, Green County, they come and they all are asking for help with abuses that the abuse that they see or are experiencing within the confines of the prison.

It grieves me to have to send the letters that I end up responding to them with, which is that I cannot do anything as a Local City of Pittsburgh legislative entity here. This is not within the realm of my jurisdiction. I wished I could snap my fingers and change things but I can't within my current elected capacity here. So I send these letters back.

I just want to say that I am very pleased that there is follow up in one of the situations. I asked my staff member because

we do save, I know the prisoners think that a lot of elected officials are unresponsive. I always respond on behalf of all elected officials. Sometimes we can't do anything. I can't do anything about the conditions. All I can do is speak up and contact others who can in the state.

I have received tons and tons of letters. These are just from Green County. I can show you letters that I have received from other prisons as well all asking for help with statements that they're suffering abuse, neglect, they have been kicked, humiliated by guards, just tons and tons of allegations.

I will be in touch with whomever. I will be in touch with the state to find out what officials are in charge of this so I can communicate the information that I receive through the short time I have been on City Council from prisoners who looking at these letters have very very legitimate complaints. I know they are criminals and I know that they are in there doing their time, but some of these complaints I am sure are very worthy of investigation.

I just want to say that anyone, I would ask all my colleagues, I know many of you have received some. If you have anything that can be forwarded to proper officials to rectify a situation, they're human beings as well, do so, because I am going to be doing so within this week. Thank you.

Mr. Ferlo:

Mr. Chairman, on a related matter. I am asking for a Post Agenda Meeting which has been set up for Tuesday, April 21 at 2:00 p.m. I would like that cable cast. I would like to make a motion. This is regarding the animal control laws in the City. I don't know if it is just my Council District but it is probably a situation that other Council Districts. We seem to have an increase problem with loose dogs running in the city parks. I have had a lot of kids harassed in Highland Park area proper with dogs including the rottweilers that are loose.

I know I have gotten calls in the past year of dogs loose in Schenley Park only for runners to be confronted. It can be pretty scary. We have a lot of ordinances. So I am not asking for any new laws. We have enough laws, but I want to understand and the community has requested this meeting so we can get a better understanding of what is the enforcement activity of animal control, of environmental services, BBI, the police department, and whoever has the ability to right a citation for people.

We have a lot of playgrounds that we are building. I resent the fact that dog owners allow their dogs to conduct their business in the play area where children are. It is not clear. I know tickets have been written and people have been cited. But the purpose of the Post Agenda is to better understand what the enforcement activities have been of the various city departments and the extent of the problem.

I am sure other colleagues have gotten complaints from their respective districts. So the focus of the hearing is basically regarding animal control laws. Maybe the COP officers could better get involved. But we want to deal with everything from dog feces especially in the park, to owners that allow dogs, especially dogs that really should not to be loose running in the park. As well as down on city streets, other issues of signage, so basically it is a Post Agenda to try to get a better handle on all that.

It is April 21 at 2:00 p.m. I have invited community group representatives also to participate in the meeting.

MR. FERLO moved to cable cast the April 21 Post Agenda Meeting.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

While on that motion, can I make a motion to cable cast our Post Agenda on Thursday, April 23 at 10:00? That is the one with the joint meeting of the City Council and the Planning Commission to discuss downtown plan.

MR. UDIN moved to cable cast the Post Agenda Meeting on April 23.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

One other announcement.

We have the Mayor's Office and I assume Public Works to there credit is once again trying to reinitiate the city wide clean up which is going to be on Saturday, April 25. I am making a special effort in my council district to get as many individual volunteers as well as community groups to pitch in that day. If you want to get involved at least in Council District Seven with the community clean up, it begins at 9:00 a.m. on April 25. We will make it a fun day.

We want to thank the True Value Hardware for their sponsorship and help with the bags and the like. We especially want to thank the Public Works crews that will be out throughout all the divisions picking up the trash that will be collected and put in designated spots. So if there are any volunteers in Highland Park to Polish Hill to Garfield and all points in between in my Council District, please call me at 255-2140 to get involved on April 25.

The Chair:

While on clean up, where are we on the Executive Session or Post Agenda on Public Works, Mr. Hertzberg? Are you following up on that? Is there a dated set for that?

Mr. Hertzberg:

No there isn't. I don't know if that's going to be necessary after conferring with a number of the Council members that were unhappy over the current situation. I don't believe that's what we are going to end up doing but we are still looking into it, Mr. President.

The Chair:

Are there any plans as far as the -- I know my street was not cleaned yesterday. When everybody parks across the street and I have been told we did not have enough sweeper operators. If we are going to do all these super cleanups in every neighborhood, I hope we don't forget the basics. In my whole Council District, only one sweeper was out and it was only doing one neighborhood. I must represent eight neighborhoods. I would like a follow up from Public Works.

Mr. Hertzberg:

We can schedule a Post Agenda on that. I know that was another option that was discussed.

The Chair:

I know a lot of Council members have been discussing are there going to be cutbacks on services. I am very concerned if it is going to start this way. I fell into it for five years, no street cleaning in my neighborhood and I am not going to take it again.

Mr. Cohen:

To add to that, this is also the season where a lot of pot holes are cropping up all over. Although the winter was not as harsh as in past winters, at least in my district, I have seen a lot of pot holes, as many as any winter that has been worse in the past. So I would like to add that. If we are going to have a Post Agenda I would like to add that just to see what Public Works' plans are for both patching and paving this spring.

Mr. Hertzberg:

That will actually be on the agenda tomorrow. We did just introduce the resolutions today that call for the expenditure of, I think, about $6 million altogether for the street resurfacing program which includes a variety of different resurfacing and repairs of our streets.

Mr. Cohen:

We can do it in that format. Whatever is easier.

The Chair:

I think you Ruled Eight that, it will be on tomorrow's agenda.

Mr. Ricciardi:

Just as a follow up to Councilman Cohen and Councilman Hertzberg regarding the resurfacing legislation that was presented by the Chair Hertzberg, but it is interesting. I am listening very closely to all the discussion. But it really shows that I think all of us realize the importance of delivering good Public Works service to the City of Pittsburgh. Matter of fact, I think the entire City should revolve around the Public Works Department and division because it's just the importance of it. I am looking forward to talking about the resurfacing tomorrow.

I would like to bring this up. I would like to see how City Council members could have more input into the selection of roads and streets in the City of Pittsburgh. A perfect example is I am very pleased that Public Works today they are doing some work on Sterling Street. But at same time Holtz Street, colleagues, runs perpendicular to Sterling Street and matter of fact needs to be done even more so than Sterling Street, however, it is not on the list.

Now my whole thing is one of mobilization. Something that I have learned from PWSA, Pittsburgh Water and Sewer Authority. When a contractor and Public Works people are on site that's half your cost, not half your cost but that is a big cost there because all the equipment is there. So that is something I am looking forward to talking about on selection processes, how can we be more involved?

I have always respected the professionals of Public Works. But I have

always stated and for any department or any service that I believe that no one really knows their district better than a magistrate, a district justice, a Committee person or a Council member. Because we are really out there and we are really involved. I think we really walk our streets. I am looking forward to the discussion hopefully Holtz Street will be on the list for tomorrow. I will speak to Councilman Hertzberg on that.

The Chair:

I will also ask Mr. Hertzberg if we are not going to clean the streets, are we going to tag cars? That is such an inconvenience. We have apartments acrossed the street. It is inconvenient; we are out there 11 o'clock at night moving our cars, parking on the backyards. My wife said the same thing, if you are not going to clean the streets, why change it and why tag?

Mr. Hertzberg:

I couldn't agree more with that.

Mr. Ricciardi:

I can respond to that. The policy of the parking authority is not to ticket if they are not cleaning streets. What occurs as you stated, Mr. O'Connor that a lot of people already moved their cars so they don't know if it is not going to be cleaned or not. So it is something we should discuss. Matter of fact, even on my street that has street cleaning. It's once a week, but even if it was only once a month, if I knew for sure that it was going to be done, I would be happy with once a month. But for example, it wasn't done last week, and I am not sure about this particular week.

Mr. Onorato:

One other issue I am going to be bringing up and I think it is the bigger picture. That is we are sitting here debating what can be done, when we have $39 million of bond money allocated for 1998 and only six to seven million is in Public Works for asphalt resurfacing.

The question I am going to be asking leading into next year's budget is what happens if we take that six, seven million and make that 15 to 20 million and we take a shift of bond money and take one year where we pull back on all these super developments and say wait a second? We are going to do a super maintenance program one year.

We have $39 million to be allocated in the 1999 budget. I think this Council should seriously look at the maintenance questions that we have been discussing and ask the question is six or seven million appropriate. I would like to have the experts to say what can we do if we double the money or we triple the money? What can be done in one summer and how can we do it? That might be the answer instead of saying we have six, which roads get done?

Maybe what we should be saying is if we increase the pie for resurfacing how much can be done? That is a question I am going to be asking at the meeting. I hope they are prepared to answer the number of streets that can be handled.

Mr. Ferlo:

Partly to embellish Councilman Onorato's point, I think it would be helpful if the Chairman of the committee now would agree if we could start having some

discussion involving the infrastructure needs and repairs of the City whether it be steps, sidewalks, curbing, the asphalt situation and other problem streets. I have a lot of streets that are concrete slab that have to be replaced with concrete slabs. I think everyone of us has some portion of our neighborhoods that have concrete slab that is a roughly and adequately funded program. Maybe if the Chairman would agree we can start having some discussions in August, September even prior to the annual budget deliberation. But we need to get a better sense from Public Works how they prioritize what the needs are. Have they identified what the overall needs are? Secondly, what is the prioritization of what needs to be done when?

All of us including myself have tried to prevail upon previous Mayors, previous Directors, previous Managers of asphalt to get a certain street done because we have been inundated with complaints. It is so glaringly obvious. Several years ago against my judgment I voted not to pay $250,000 plus for an asphalt management plan program involving computerization and computerated design and it never worked. I don't even know if we ever got a work product out of it. So I think there needs to be a question about whatever happened to asphalt management?

I mean whether or not a street gets paved should not be a political decision on Grant Street. It should be what are the streets that haven't been done in X amount of years? What is the relative condition of that street? How does it fit into a five or seven year program? It still is unclear to me that it is not clear to me that that is necessarily happening despite the good efforts of our asphalt folks and Public Works.

I think there are a lot of issues that we need to talk about. I think as part of Councilman Onorato's concern I think if we can start talking about some of those things earlier before the '99 budget deliberation, maybe we can then have a better handle on what are the overall needs. What is the big globe out there of needs and how do we prioritize? But we have step issues, decaying City steps, both concrete and wood. We have a lot of curbing and concrete slab replacement needs, we have asphalt needs in certain areas. There is just a lot of issues I think we should start talking about.

Mr. Hertzberg:

Again at least for this year those are all on the agenda for tomorrow. So take as much time as you need to tomorrow to the extent that there are issues remaining. I will call a Post Agenda, I know that's already been requested with respect to the five division plan, with respect to street cleaning. But there are specific items on the agenda tomorrow and take as much time as you need to take tomorrow to discuss it.

The Chair:

I believe most Council members supported the five-division plan. Only if the employees were to stay the same or better. I think we need a draft of that. So a Post Agenda will probably be necessary after tomorrow's discussion.

Mr. Ricciardi:

Thank you. All legislative bodies especially this one have always been supportive of our seniors here in the City of Pittsburgh. Matter of fact, when it is all over I think that we will all be judged on the

way we have taken care of our seniors. If I am not mistaken and I don't think I am, we have always had a whole budget when it comes to continuing the services in the past to our seniors.

I believe there are four management contracts that we have always budgeted for in the past and also in this budget. Management contracts where we contract out with non-profit organizations and we help out with some of their funding because they have senior programs. For example, two of them that I know right off hand, one of them is in my district which is on Warrington Avenue, and it has a great senior program and our part of the partnership is $3,600 per year, which is only $3600. But it definitely helps out in their budget. One is in Councilman Diven's district, and that is in Carrick up above Elderado. I think we usually gave $9,700 to them. Keep in mind at the same time they are pitching in $25,000. Non-profit organization is giving $25,000 we were always responsible for $9,700.

Those two non-profits have just been informed by the Department of Parks that these management contracts will not continue past June of 1998. That means they will be discontinued, terminated in July of this year. Now I don't see how that could be correct because we passed a budget, I checked the line items. The line items are in there, so I am just asking Valerie McDonald who chairs the Department of Parks and Recreation to see if number one if that is true. If it is true, I am calling for an immediate Post Agenda because it is not a lot of money. There are only four in the entire City.

I don't know where the other two are, I apologize. But if you just take two, one in Councilman Diven's District. I know he is working on this and one in myself, you are talking about only $13,000 whereas the non-profits are pitching in a total of almost $50,000. So, I don't know if someone has heard this but it is sort of disconcerting. What I mean is you would think that if a department was going to discontinue a service, something that this legislative body has budgeted for that we would be contacted for.

But let me make my position very strong, that these management contracts will not terminate July. If the Parks and Recreation decides they will, I will have a resolution with Councilman Diven in order to make sure that they continue for 1998 and in the future. Thank you.

The Chair:

Ms. McDonald you want to follow up on that, his request?

Ms. McDonald:

Yes, I will be talking to you, Gene.

The Chair:

Any further discussion? I want to remind Council members tomorrow morning we have an Executive Session at 9:00 before the regular meeting.

Can I have approval of the minutes?

MS. MCDONALD moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. COHEN seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

ADDENDUM

Councilman Onorato's comments on Bills 278 and 280 can be found in the Standing Committee Meeting Minutes of April 7, 1998.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, April 21, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

Please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world

We are honored to have Sean Patrick Geis, a seventeen- year-old from Carrick High School, who is with his mother, Marie, and his Aunt, Barbara Rush, and he is from Councilman Diven's District.

Sean Geis:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Sean. We have a flag of our City and our Country to present to you.

PRESENTATIONS

Mr. Diven:

It's a great honor to recognize Sean today for his accomplishments. Sean recently made the rank of Eagle Scout. For those of you unaware of the scouting situation, only about 2% of those people that start Boy Scouts make it to this rank. This is a very prestigious honor. It shows a lot of dedication, a lot of commitment on Sean's part to stay with the program and accomplish some great things. I know Sean was involved with removing 35-foot trees at a church and beautifying it as part of his Eagle Scout selection process.

I am going to read the proclamation recognizing his efforts.

MR. DIVEN PRESENTS:

No. 337 WHEREAS, the Eagle Scout Award is the sixth and topmost step in the succession of progress awards issued by the Boy Scouts of America and,

WHEREAS, the Eagle Scout Award represents the highest level of achievement in skill, in service, and in leadership recognized in Scouting and,

WHEREAS, only those Scouts who have maintained a term of active membership since becoming a Life Scout, demonstrated Scout spirit and leadership, and earned a total of 21 elected and required merit badges are eligible to seek the Eagle Scout Award and,

WHEREAS, an Eagle Scout's standing depends on the way he demonstrates Scouting spirit on his adherence to the Scout Oath and Scout Law as determined through personal review by his Scoutmaster, as well as through interviews with teachers, clergymen, and other community leaders and,

WHEREAS, only upon satisfying the exacting test of skill, community service and participation in Scouting leadership, may a Scout join the elite few who enter the Scout's Court of Honor to receive the Eagle Scout Award.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend Sean Patrick Geis for his determination and dedication to achieving the highest honor in Scouting-the Eagle Scout Award.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Diven:

Why don't you come up? I am going to introduce Sean and ask him to say a few things about his service in the Boy Scouts.

Sean Geis:

I would like to thank Councilman Diven and the rest of Council for having me here today. The Boy Scout Program is a wonderful program, and I endorse it heavily. It's a great program. I can't think of too much more to say than that. Thank you.

The Chair:

Congratulations again, Sean.

Will Barbara Burstin, President of Taylor Allderdice Alumni Association and your group from Taylor Allderdice please come up? We have Roberta Brody, Terri Tanner, Florie Krell, Meira Gumerman.

It's my honor too as an alumni of Taylor Allderdice Class of '62 I am proud to have you here. We have a big event coming up this Sunday.

MR. O'CONNOR PRESENTS:

No. 338 WHEREAS, Taylor Allderdice High School, founded in 1927, has provided thousands of city public high school students with an excellent education, laying a foundation for success that benefits the individual student and society at large; and,

WHEREAS, The Taylor Allderdice Alumni Association raises funds to provide grants for special projects and programs to benefit Taylor Allderdice students and promote awareness of the excellent academic reputation of the school and the achievements of its graduates; and,

WHEREAS, On Sunday, April 26, 1998, at 10:30 AM, in the Katz Performing

Arts Center of the Jewish Community Center, the Taylor Allderdice Alumni Association will honor those graduates who have distinguished themselves in their chosen fields of endeavor. Past Honorees have included sports journalist and radio personality Myron Cope and National Football League standout running back Curtis Martin; and,

WHEREAS, the 1998 Distinguished Alumni Awards will be presented to the following Taylor Allderdice High School Graduates:

Sharon Epperson ('86) Journalist, CNBC_TV
Robert Felton ('56) Chairman & CEO, Indus International
Dr. Harvey Fineberg ('63) Provost, Harvard University
Dr. Bernard Fisher ('36) Professor of Surgery; Breast Cancer Researcher
Frank Gansz ('55) Assistant Coach, St. Louis Rams
Sylvan "Cy" Holzer ('66) President, PNC Bank
Sally Katzen ('60) Deputy Assistant to Bill Clinton, President of the United States
Larry Lucchino ('63) President & CEO, San Diego Padres
Dr. Henry Mankin, ('46) Orthopedic Surgeon
Philip Pearlstein ('42) Artist
Dr. Reuben Slesinger ('32) Professor of Economics, University of Pittsburgh

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh extends its congratulations to the 1998 Taylor Allderdice Alumni Association's Distinguished Alumni Awardees and commends each and every one of this year's honorees for their dedication to purpose, their scholarship and hard work which has brought honor to themselves and to their school – Taylor Allderdice: and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of this event does hereby declare Sunday, April 26, 1998, to be "Taylor Allderdice Distinguished Alumni Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I will let Barbara who has actually been our President of the Alumni Association since it started, has done a lot of great things and raised a lot of money. How many actual members do we have?

Ms. Burstin:

We have over 1,000 members at the present time and are growing constantly.

The Chair:

Over 1,000 members and they really do a lot for the school.

You want to come up and tell us what is going on?

Ms. Burstin:

We just want to point out that even though we are recognizing these alumni and certainly applaud their achievements, the purpose of everything that we do is to support public education in the City of Pittsburgh and support Taylor Allderdice. Specifically so

the money that we raise in this event will be used to promote special programs for the students there.

So really we are in the business of supporting public education in the City of Pittsburgh. We want to thank the City Council and all those who support us in this.

I want to thank our President and Alumni Board Member Bob O'Connor for his special dedication to our cause as well.

The Chair:

We have some special guests in the audience from Woolslair School in Bloomfield. I would like Councilman Ferlo to come up and tell us why they are all here.

Mr. Ferlo:

Since this is going to be a little bit impromptu because we don't have a formal proclamation, but we want to get a class photo of all the students that are here today from Woolslair School. So if I could have all the students come forward with the teachers. Come on up. We have a number of teachers here. These are some of the third and fifth graders at Woolslair School, which has been reopened.

It is a 100-year old school plus, reopened as a neighborhood based school. It is a great institution. The Principal Virginia DePucci who is very active in the Highland Park Community, has put together a great academic excellent program. We have a specific good citizenship effort going on at Woolslair School.

I want to ask both Evelyn Murrin and Carol Emerson, Carol I believe is the incoming President of the League of Women Voters to come forward, also to say a few words. I had the pleasure of spending my day yesterday. Next week I think some of the other classes are coming in.

There is a great experiment going on at Woolslair School in addition to the academic excellence program that they are building at Woolslair. They have a very unique program called Kids Around Town. I know Councilman Onorato in the past has been active with this and it may have actually started on the North Side. It's a way of introducing to some of the smaller young people, the smaller future voters of the City of Pittsburgh exactly what City Council and Local City of Pittsburgh government is all about.

I had the pleasure yesterday, as Councilman Onorato had in the past, I think, in his North Side schools, of speaking and spending the day, half a day at least at Woolslair. We spoke in assembly form and a lot of the young people here asked all kinds of questions about who I am? Why did I want to be on City Council? What does City Council actually do? What is this government thing about anyway? So we had a great day yesterday. As part of the continuing education in terms of this Kids Around Town Program, the students, at least two classes, the third graders and the fifth graders are here today.

I don't know if the young people know this but if you have cable TV at home, you're being on TV now live on Channel 17. If you go home tonight and if you do have cable, you can watch yourself again tonight at 7:00 when you watch the City Council Meeting. It will be replayed over the weekend. So if you have a VCR, and your mom and dad want to tape your presentation here today, why don't you waive to your

parents now. So they can see that you are here and you are not being truant. You are not going to end up down at our new Truancy Center. Councilman Hertzberg is concerned about that.

We are going to give all the students one of these proclamations here today. It says certificate of excellence in citizenship and knowledge of Pittsburgh City government. I will be signing this on behalf of all of our colleagues. All of our colleagues are very active with the schools in their respective City Council Districts. So we want to thank all the young people for coming down here.

I want to let you know, colleagues, that what Woolslair is doing is somewhat unusual. They're going to be actually conducting an election in the school. They are going to be electing a Mayor and they are going to be electing nine members of City Council right in the school. Each class is taking on a different department of City Government. One class is taking on the Parks and Recreation Department. They're going to have a model department of what they would like to see in the parks and how they need to manage and operate.

They are going to have a Police Bureau in one of the other classes so it is going to be kind of microcosm of Local City of Pittsburgh government. It's an exciting program. I have had the opportunity to speak; they are coming down here today. I believe they are going to have a tour of the Mayor's Office in a little while and next week some of the other classes will come forward.

So we have one of these proclamations for each one of the young students that is participating in this citizenship program at Woolslair. The teachers will be filling this out and providing the proclamation to them. But Evelyn Murrin and Carol Emerson are both here. Evelyn is shy; she is in audience taking pictures. Carol is with the League of Women Voters. I would like her to just give an amplify some of the issues involved in this program.

Ms. Emerson:

Good morning, I am Carol Emerson, the President Elect of the League of Women Voters of Greater Pittsburgh. I am delighted with what a resource Mr. Ferlo has been to the Kids Around Town Program of the League of Women Voters of Pennsylvania. It's an educational program to teach young children in elementary grades about government and policy making.

This project is funded by the Local Grable Foundation and there are five projects in the city schools one of which is here at Woolslair School. It's been a delight to work with these teachers and with these students.

Mr. Ferlo as he said was at the school yesterday. He went on a site walk around the school and was looking at traffic and pedestrian issues that the young children are going to track and do counting of cars that go by and traffic patterns and speed. They are going to try to effect some policy through the system of government.

We are really grateful for the cooperation of these great teachers. We have the third and fifth graders with us today. So thank you for the opportunity to be at City Council to see our democracy at work.

Mr. Ferlo:

Thank you, Carol. Anyone of the young people want to say anything about the

school or about the program? Would you like to say a few words?

Jessica:

It is really a nice school and all. Well I don't know, I like it. It's a nice school. I would like say that I hate it, then I will probably be kicked out. So I have no choice, so it is a really nice school and it's really fun.

Mr. Ferlo:

She's going to be a future actress.

The Chair:

Connie wants to say a few words. She has notes.

Mr. Ferlo:

She can use the presidential mic up there.

Connie:

The notes that I took were on what the people's name and what they were saying. And why I took those names is because I wanted to be the President for my class at the Parks and Recreation Center. And for the Parks and Recreation Center I want to be the President and that's why I took all of these notes.

Mr. Ferlo:

We have a future lawyer there. I want to thank all the young people for not only being down here today but also for participating in the government program that you are doing at Woolslair. We especially want to thank you for being great students.

If you remember my message yesterday, what did I tell you about going home, turning the TV off, kick the Nintendo and read a book, remember? How many of you remember that yesterday?

I had a great time reading the Samurai and the Daughter book. We had good time in class. So again shut your television off, get rid of that Seiko and Nintendo and read a book. It won't kill you; it will be good for you. Thank's for coming down.

I think you will be going over to the Mayor's Office pretty soon. So right now if you could file back quietly into the seats. I want to thank all the teachers for their patience today and for helping out and especially to my colleagues and President O'Connor. Thank you.

Thank you, President O'Connor and colleagues, for your patience this morning.

MR. COHEN AND MR. O'CONNOR PRESENT:

No. 339 WHEREAS, the Jewish National Fund owns or manages 92% of the land in the State of Israel, has planted over 210 million trees, has built roads, parks and recreation areas, has turned archaeological sites into important tourist areas, has built dams and reservoirs to increase Israel's water supply, has developed land for housing, industry and farming, and is a major employer of new immigrants in the country; and

WHEREAS, prominent community leaders Hannah and Marvin Kamin will be honored by the Pittsburgh and Tri-State Region Jewish National Fund at its 55th Annual Dinner on Sunday evening, April 26, 1998; and

WHEREAS, Hannah Kamin has led several community organizations, including serving on the Boards of Chatham College, Family House, Jewish Association on Aging, Jewish Guild for the Blind, Jewish National Fund, Ladies Hospital Aid Society, Rodef Shalom Congregation, United Jewish Federation and United Jewish Federation Women's Division; and

WHEREAS, Marvin Kamin, real estate developer and contractor and Vice Chairman of National Development Corporation, is a member of the American Society of Civil Engineers and the National Society of Professional Engineers and serves on the Boards of the American Red Cross, Jewish Education Institute, Riverview Center for Jewish Seniors, Rodef Shalom Congregregation, and is past president of Concordia Club and Hebrew Institute of Pittsburgh; and

WHEREAS, in recognition of the Kamins' combined volunteer service, Under Secretary of State for Economic, Business and Agricultural Affairs Stuart Eizenstat will be the keynote speaker at the 55th Annual Dinner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Hannah and Marvin Kamin for their dedicated years of service to our community.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Will the Reverend and the members of the Mount Washington Congressional Church please come forward? They are celebrating 125 years this Sunday. Joining us this morning are Reverend George Snyder, his daughter Mary, Patricia McMichael, who is a member of the Church Council, William Armstrong, the Council President, Eileen Burkner who is a member of the Church Council, and her daughter Arlene Burkner who is also a member of the church. Let me read this resolution.

MR. HERTZBERG PRESENTS:

No. 340 WHEREAS, On April 26, 1998, The Mount Washington Congregational Church located at 67 Southern Avenue, Mt. Washington 19th Ward City of Pittsburgh, will be celebrating 125 years of service to God and Community; and

WHEREAS, the church was originally known as the First German Evangelical Protestant Church of Mount Washington, with services in both English and German under the leadership of Reverend H.C. Fack and 18 laymen; and

WHEREAS, over the past 125 years the church has survived may obstacles, has been known by different names, and has joined with other denominations several times including the United Church of Christ and the American Baptist Conference; and

WHEREAS, the Mount Washington Congregational church has been shepherded by some twenty-four full time, supply, and interim ministers with the current pastor, Reverend R. George Snyder, installed as the full time minister April 22, 1995; and

NOW, THEREFORE, BE IT RESOLVED That the Council of the City of Pittsburgh Congratulates and recognizes all

individuals responsible for enabling The Mount Washington Congregational Church to celebrate 125 years of service to God and Community.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Hertzberg: I am sure Reverend Snyder would like to have a few words and possibly some of the other individuals who are here.

Reverend Synder:

Mr. President, Council members, and of course Mr. Hertzberg, thank you very much for the privilege and the opportunity of being here today. I do count it a privilege to be able to pass through this fine church up in Mount Washington. On behalf of the congregation of the Council again, I would just say very briefly thank you, because it is a very dangerous thing to ask a preacher to just say a few words.

So I will just conclude by saying thank you very much for this honor and this privilege. I have to turn to the members or some of the members here to say thank you for calling and inviting me to be your pastor. That is one of the greatest privileges so far in my career. I appreciate that. I appreciate the great City of Pittsburgh honoring our congregation in this way. It is an honor, thank you.

The Chair:

Thank you all for coming down.

Now moving to presentation of papers.

MR. FERLO PRESENTED:

No. 341 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of Handicapped Ramps in Various Communities throughout the City of Pittsburgh; and providing for the payment of the cost thereof, not to exceed $89,000.00 chargeable to and payable from Account 600000, Fund 2610, Org 301000, Sub-Class C1998, Project/Grant 2220060, Budget Year 1998.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 342 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, for the Renovation of Recreation Centers and Senior Citizen Centers; providing for the purchase of equipment and materials for said projects; and providing for the payment of the costs thereof, not to exceed $414,000.00 chargeable to and payable from the following: Acct. 600000, Fund 5100, ORG 30100, Sub Class

PGHPR, Project/Grant 2243000, Budget Year 1998, Amount $414,000

No. 343 Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the investigation, design, construction and/or remediation for critical slope failures throughout the City; and providing for the payment of the costs thereof, not to exceed $200,000.00 chargeable to and payable from the following:

Acct. 600000, Fund 5100, ORG 30100, Sub-Class PGHPR, Project/Grant 2239103, Budget Year 1998, Amount $200,000.

Which were read and referred to the Committee on Finance and Budget.

MR. HERTZBERG PRESENTED:

No. 344 Resolution authorizing the Mayor and the Director of Public Works to enter into an agreement or agreements, or the use of Existing Agreements, for the hiring of a Consultant to develop and administer a public education program in connection with the City's Recycling Program at a cost not to exceed $50,000.00 dollars, chargeable and payable from Trust Fund Index Code 254516, Fund 2870, Org. 430000, Subclass 600, Budget Year 1998, accounts within the Bureau of Environmental Services.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bill will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Also,

No. 345 Resolution Granting unto the Housing Authority, City of Pittsburgh, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a retaining wall within the Right of Way (40 feet in wide) near Allequippa Street in the 5th Ward, 6th Council District of the City of Pittsburgh.

No. 346 Resolution granting unto FSN Management Inc. of Wexford, PA 15090, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sub-surface encroachment for a temporary shoring system, 22nd & 25th Wards, 1st Council District of the City of Pittsburgh.

No. 347 Resolution Granting unto Alcoa Corporation, 201 Isabella Street, Pittsburgh, PA 15212, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a manhole for the purpose of refilling a diesel tank for their emergency generator, 22nd Ward, 1st Council District of the City of Pittsburgh.

No. 348 Resolution Changing the name of The Hill Road between Bunker Hill Street and Washington Boulevard to One Wild Place in the 11th Ward 7th Council District, City of Pittsburgh. Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. ONORATO PRESENTED:

No. 349 Resolution authorizing the City of Pittsburgh to submit a grant application to, and execute relevant agreements with the Pennsylvania Heritage Parks Program. The proposed application will request $15,000 for a feasibility study to focus on the opportunities and issues for extending the Steel Industry Heritage Trail to the intersection of Second Avenue and the north end of the Glenwood Bridge. The study will then explore the issues and opportunities for the trail to be extended across the bridge over the Monongahela River and address the challenge of connecting the trail at the south side of the Glenwood Bridge with the Three Rivers Heritage Trail.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 350 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public highway purposes, certain property in the 14th Ward of the City of Pittsburgh, owned by Stephen A. Neustein and Sharon S. Neustein, authorizing the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto, and designating the Urban Redevelopment Authority of Pittsburgh as the City's acquisition agent. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 351 Resolution repealing Resolutions, approved on various date, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984. The reason for repealing the Resolutions is that the purchasers in the respective sales have all failed to comply with the Agreement of Sale. The hand money, as specified below, is to be forfeited.

No. 352 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 353 Resolution authorizing the Directors of Parks and Recreation and Public Works to develop a pilot program for designated areas established as "Off-Leash Exercise Areas" to afford citizens the opportunity to lawfully exercise licensed dogs with appropriate restrictions and safeguards. **(SPONSORED BY MR. O'CONNOR).**

The Chair:

Motion to waive Rule 8?

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 354 Communication from Eloise Hirsh, Director, Department of City Planning, submitting the recertification of Area "U" Central Shadyside, for the Residential Parking Permit Program.

No. 355 Communication from Eloise Hirsh, Director, Department of City Planning, submitting the recertification of Area "V", Shadyside North, for the Residential Parking Permit Program.

Which were read, received and filed.

The Chair:

Motion to receive and file?

MR. FERLO moved to receive and file the communication.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Anything under unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

I had a couple of times this year mentioned a City Council tour of the City's asphalt plant facility. I have now made arrangements to have that tour. The date will be May 7th at -- that's a Thursday, May 7th at 10:00 a.m. If you need some help in getting there, let me know. I will make sure everyone has a ride of some kind. Being that it is at 10:00 on a Thursday morning, I thought maybe individual members may want to get there on their own. The tour is now scheduled. the asphalt plant, May 7th at 10:00 for City Council.

Ms. McDonald:

Yes, I am not certain if we had voted at Standing Committee last Wednesday, next -- April 28 we are having a Post Agenda to discuss the master planning processes that have already transpired as well as future plans for our four regional parks. I would like to ask the Council body if they would vote to cable cast that, make a motion to cable cast?

MR. COHEN moved to cable cast the April 28 Post Agenda.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Cohen:

I think this qualifies as unfinished business. We have a Public Hearing scheduled on the new zoning code. Councilman Onorato is the Chair of this Committee, on April 30, which is a week from Thursday. My concern is that the Public Hearing is supposed to be about the new revised zoning code that is going to come from the consultants. That zoning code has not been released or maybe has not been completed yet. My concern is that citizens who are interested in this subject, and they should, because it is really a blueprint for Pittsburgh's future when it comes to land use.

I will not have an opportunity to really consider it, to review it, and be able to

comment on it at the April 30th meeting. I don't know if Councilman Onorato or he might know more about it in terms of that coming out, but if that new zoning code doesn't come very soon, I am going to ask that we postpone that Public Hearing.

Mr. Onorato:

I will see if the Director is prepared to release the amended, I guess, version of the code. But the code that is being changed was in our hands, I guess, last December or November. We decided to hold the vote off until this year. The only changes from that version and this version would be comprised changes between the community group, the consultants, and they focused in on a handful of key issues.

So you probably have 80% of the new code that was handed out last year. But on the new changes, your point is well taken. I will see if she can get that over to us as soon as possible. But the bulk of the new code you already have. I will try to get those compromise changes for you.

Mr. Cohen:

I appreciate that. I have gotten a number of calls on this from concerned citizens who want to look at exactly what those changes are. I realize, by the way, commend Councilman Onorato and the consultants for narrowing it down to a certain number of issues that remain outstanding. They probably are maybe ten to 12, but never the less; we need to see how the consultants have resolved those so that we can have a legitimate Public Hearing. Otherwise, it is just not going to be worth much.

Mr. Ferlo:

I would hope that we would still go through with the Public Hearing. Not only because it has been posted and people are generally aware of it, even after this Public Hearing a majority of colleagues may still be unprepared to cast the final vote on the zoning code. But I think Councilman Cohen and Mr. Onorato's point is well taken.

We asked that the code both the basic draft document be on the internet so that residents who do have access to the computer or at the local library can avail themselves of this information. I would ask that we find out why the proposed amendments if there is a draft document be also posted on the net on City Council's web page or even available hard copy at the local library.

But the point is well taken, there is still lack of understanding of what the draft code is let alone the secondary document which are apparently some modified issues that came up at the last series of Public Hearings several months ago. If this information can be made available, but I think we at least have to get to the 30th hearing because there is still going to be a rehashing of a lot of those issues. Even after that there still may be some unreadiness based on the fact that the actual mapping has not happened.

There are a number of community groups that have raised that issue with me also. I would hope that we can proceed, but the department and maybe the Clerk's office can get the draft document and the proposed amended draft document out to the public.

Mr. Hertzberg:

The mapping was the issue I wanted to raise. I never quite understood what the big mystique is. Why if you are converting,

if a district that is a C1 under the current zoning ordinance is become something L3 or whatever, why we can't map that out and have the maps as part of the proposal?

Mr. Ferlo:

The conversion map will be part of the proposal. What is not part of the proposal are those areas around the City who have been working and would like to make some substantive zoning changes.

Mr. Hertzberg:

I understand that. I still have not seen a simple map showing -- so somebody that has a question which one of these zones -- they may not know what zone they are in today. They want to know what is going on. They want to know what zone they are going to be in. There is no map that I know of that's available yet.

Mr. Ferlo:

We asked and, I believe we were told that the map would be available at this April 30th meeting, this so-called conversion map. If that's not the case, we are not going to have a productive meeting as Councilman Hertzberg points out.

The Chair:

That falls under Mr. Onorato's chairmanship. Do you want to make sure that -- you want to follow up and if things are not in place, we will have to change that meeting.

Mr. Onorato:

Let's just point out that for the people listening, the new zoning change is an administrative function. It is sponsored by the administration not this Council. Council has the final vote on it. As long as Council members are not satisfied or do not receive the information that they are requesting we hold the ultimate trump card, and that is there won't be a vote until everyone is satisfied with the proper review.

So we will ask the Director of that department to make sure that the appropriate information is distributed.

Mr. Cohen:

The map issue -- this Public Hearing can be a really productive Public Hearing especially when we put out the map. Look, there are going to be mistakes on that map. There are probably a thousand different zoning classifications on the map. We should be able to give particularly citizen groups a chance to look at that and say no that shouldn't be R3 -- that was changed to commercial when in fact it is residential.

So if we are going to make this Public Hearing productive, that map can't be made available on the day of the Public Hearing, it has got to be available at least a week before so people can look at it.

The Chair:

I am requesting that Councilman Onorato follow up and see if those things are in line. If not, we should look at rescheduling the meeting.

Mr. Ferlo:

I hate to bring up this point. We have close to a million dollars, against my better judgement, invested in this zoning code rewrite dating back as far as Mayor Masloff.

I think it's eight or $900,000. We had asked for a glossary of terms and a user-friendly handbook. So far I have to admit after reading the draft document, I am not sure why we spent so much money creating a document, to me at least, is not any clearer than the existing present zoning code. I hope I will struggle through that and I will be proven wrong.

But we have a lot of money invested in this. It is still not clear if we have gotten our monies worth. In terms of the work product and which residents, be it commercial or residential interest groups, are aware of and knowledgeable in terms of having a user friendly zoning code, that makes more sense and makes it easier for residents and/or commercial interest to do business in the City of Pittsburgh. Including just the use of their own property.

So I hope somebody can frame some of those issues at the hearing and show us why this investment was a good investment. But we asked for a number of other things and I don't have the list in front of me. I will defer to Mr. Onorato. But there were a number of issues in addition to whether or not parking was in the front of a retail building, and whether or not trees will be in front of flower boxes or whatever, abut -- there were a lot of complicated issues including the non-conforming use issue, and the like. If we don't move closer to an understanding or have some of those issues discussed at the hearing, we are just going to be emptying water out of the boat again come the 30th hearing.

Mr. Onorato:

One final point. What I can tell you is it does exist. I saw it about a month ago. They will be presenting to Council a grid that will address the specific issues that were being reviewed by this committee. The grid will show the existing code, the proposed changes, the controversy and the proposed resolutions to the controversy on each one of these issues. Now hopefully that gets to your hands as soon as possible.

I think the grid, at least I think, it was very easy to follow and they put it in a way where the Public Hearing could be very productive because we can go down the list, one through 30 or whatever the number is. Actually then we have a choice in front of us too. They actually put both choices there for Council to make a decision on which way or we come up with our own solution on how to change it. It will be very clear.

The Chair:

It's already in place, I saw that.

Any further discussion. Hearing no further unfinished business, we will move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 356:

Report of the Committee on Finance and Budget for April 15, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 295:

Resolution providing for the filing of a petition/s for the sale of property acquired

at tax sale in accordance with Act 171 of 1984, Second Class City Treasurer Sale and Collection Act. **(SPONSORED BY MR. RICCIARDI)**

(A)Lighthouse Church of Pittsburgh, c/o Rev. Maurice C. Trent. 301 Burr Street Plan, 16th Ward, Block 32B, Lot 107 and 420 Mountain Avenue, 16th Ward, Block 32B, Lot 142. Council District 3.

Which was read.

Also,

Bill No. 296:

Resolution repealing forfeiting Resolution No. 688, Item C, effective November 7, 1997 and reinstating Resolution No. 99, Item E, effective March 13, 1996, which authorized the sale of a two story brick veneer house situated on a lot 37.42 x avg. 45.74 x 61.08, known as 7828 Bennett St., 13th Ward, Block 174 S, Lot 72.

Which was read.

Also,

Bill No. 297:

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) 610-614 Duff Street, 5th Ward, Block 10-G, Lots 193 & 194 being sold to Harvey & Lotie C. Hoseky, Sr., $200.00 Council District 6.

(B) 1314 Carnahan Road, 20th Ward, Block 36B, Lot 70, being sold to James W. & Rita M. Zwilcher, $100.00. Council District 2.

Which was read.

Also,

Bill No. 298:

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 6605-6605 ½ Deary Street, 12th Ward, Block 124M, Lot 57, being sold to Darnell Gisham, 2sty. Fra. Dble. Hse. Situated on a lot containing an area of 2,880 sq. ft. $1,000.00. (Council District 9). Intended Use: Personal Residence.

(B) 7313 Hermitage Street, 13th Ward, Block `174F, Lot 37, being sold to Eric Tipton. 35 Thomaston Drive, 2 ½ sty. Brick, Veneer hse. & fra. Addn. Situated on a lot containing an area of 3,500 sq. ft., $3,500.00. (Council District 9). Intended Use: Personal Residence.

(C) 1421 Adams Street, 21st Ward, Block 22F, Lot 113, being sold to Mary D. Lewis, 2.5 sty. Brk. Hse. Situated on a lot containing 1,803 sq. ft., $5,000.00. Intended Use: Rental Unit. (Council District 6).

(D) 1505 Allegheny Avenue, 21st Ward, Block 22-L, Lot 197, being sold to Marion Kelley, 2 sty. Brk. Hse. Situated on a lot containing 1,156 sq. ft., $2,600.00.

Intended Use: Personal Residence. (Council District 6).

(E) 1918 Lithgow Avenue, 25th Ward, Block 23-B. Lot 62, being sold to John Rush, 2.5 Story Frame & Shingle House Situated on a lot containing an area of 2,000 sq. ft. Intended Use: Investment. (Council District 1).

(F) 204 Cutler Street, 26th Ward, Block 46J, Lot 312, being sold to Mary D. Lewis, 2 sty. Brk. Hse. & addn. situated on a lot containing 1,878 sq. ft., $2,500.00. Intended Use: Rental Unit. (Council District 1).

(G) 2530 Perrysville Avenue, 26th Ward, Block 46B, Lot 88, being sold to Marion Kelly, 2.5 Story brk. hse. & 1.5 sty. brk. gar. and addn. situated on a lot containing an area of 6,029 sq. ft, $1,000.00. Intended Use: Rental Unit. (Council District 1).

Which was read.

Also,

Bill No. 299:

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 104 Marion Street, 1st Ward, Block 2-M, Lot 194, being sold to Marion Development, Inc., two and one half story brick house, $1,000.00. Intended Use: Off Street Parking. (Council District 6)

(B) 9-11-13 & Mackey Street, 4th Ward, Block 29-B, Lots 59-60-64 & 65, being sold to Jeffrey B. & Lisa J. Wilps. Four vacant lots containing a combined area of 10,607 sq. ft., $1,200.00. Intended Use: Build residence. (Council District 6).

(C) 6554 Frankstown Avenue, 12th Ward, Block 125-E, Lot 110, being sold to Carolyn C. Graham. ½ of 2 story brick house on lot containing 2,345 sq. ft. $4,000.00. Intended Use: Rental Unit. Council District 9.

(D) 1111-1113 Lincoln Avenue, 12th Ward, Block 124S, Lot 16 & 26, being sold to Olivia Doswell, One story brick service station. Renovate & Reopen garage., $5,000.00. Council District 9.

(E) 7501 Tioga Street, 13th Ward, Block 175B, Lot 30, being sold to Pauline Lawson, 2 sty. brk. hse. situated on a lot containing 1,239 sq. ft., $500.00. Intended Use: Expand parking lot and landscape. Council District 9.

(F) 844 E. Ohio Street, 23rd Ward, Block 24N, Lot 160, being sold to Teutonia Mannerchor, vacant lot containing 1,748 sq. ft., $1,500.00. Intended Use: Expand parking lot and landscape. (Council District 1).

(G) 850-852 E. Ohio Street, 23rd Ward, Block 24-P, Lot 9, being sold to Teutonia Mannerchor, vacant lot containing an area of 2,700 sq. ft., $2,500.00. Intended Use: Expand parking lot and landscape. (Council District 1).

(H) 43 Schubert Street, 26th Ward, Block 47C, Lot 240, being sold to Daniel J. & Denise Helt, vacant lot containing an area

of 8,400 sq. ft. Intended Use: Secure drainage and landscape. (Council District 1).

(I) 333-335-337 Linoleum Way, 6th Ward, Block 26-E, Lots 219-220 & 221, being sold to Clara & Kimberly Noel Wilkes, Two – two story frame houses. Intended Use: Personal residence and yard space. $1,000.00. Council District 7.

Which was read.

Also,

Bill No. 300:

Resolution transferring the amount of $455,569 from Non-Departmental-Citywide Account, Fund 1000, Organization 999200, Sub Class 150, Budget Year 1997 to various accounts in the Department of General Services in order to make technical corrections to the PeopleSoft Financial Reporting System.

Which was read.

Also,

Bill No. 301:

Resolution providing for the issuance of a warrant in the sum of $20,000.00 to Shawn Des Lauriers and Ryan Des Lauriers c/o Joel S. Sansone, Esquire, 2300 Lawyers Building, Pittsburgh, PA 15219, in full and final settlement of the action filed at C.A. 96-1032 alleging personal injury and false arrest at Three Rivers Stadium on or about May 31, 1994.

Which was read.

Also,

Bill No. 302:

Resolution providing for the issuance of a warrant in the sum of $12,000.00 to Ronald Deutsch c/o Fred A. Sproull, Esquire, Fort Pitt Commons Building, Suite LL500, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219, In full and final settlement of an action filed at CA 96-866.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President, Bill Number 301 a $20,000 payment I think has to represent the most expensive T-shirt ever purchased by the City of Pittsburgh government in the history of our municipality. This lawsuit basically amounts to a payment by this City Council of $20,000 of taxpayers money for the actions of several police officers working, I believe, off duty, part-time for extra money at Three Rivers Stadium.
Basically because a consumer chose to buy a T-shirt and what transpired since that time and subsequent to the consumer buying the T-shirt, we are now stuck paying a $20,000 bill.

I am not going to rehash all the details. We met in Executive Session about this. I am not pleased about this bill and even the second bill, Bill 302. I am voting no respectfully on both of those bills because I am not willing to pay this amount of money. But I do think if the majority prevails and we have to pay the $20,000 for this $10 T-shirt infraction and the behavior of our officers, who I still cannot understand why they

stopped a consumer buying the T-shirt as opposed to checking the vendors license of the individual vendor, but setting that issue aside the issue really comes home to roost once again. What are the post work duties, or extra duty activities of our uniformed officers and what are the actual procedures and protocol by Chief of Police as it relates to officers working part-time security duty in their badge and in their uniform?

I am not going to make a general judgment and a knee jerk statement here. I do want to ask that if we approve this bill today, and if I have to do it by separate resolution I will, that we send a formal request to the City solicitor to prepare a report back to us subsequent to the $20,000 payment for this T-shirt. So that we better understand why our City Council has to address issue of the activity of uniformed officers when they are working off duty for extra money when at the stadium or the Original Hot Dog Shop or anywhere else.

The basic issue goes to whether or not we can be indemnified or held harmless. I am not sure what the legal phrase is, I will defer to Councilman Hertzberg who also raised the same issue. But I am not necessarily saying that I don't want officers to earn extra money. But we have a real problem when we end up paying $20,000 over a darn $10 T-shirt fight that transpired outside of Three Rivers Stadium.

So something is wrong and we need to address it. I would hope that we would ask and I would ask my colleagues through you, Mr. President, to ask for the report from the City Solicitor giving us some guidance on what the protocol is? Whether or not Council has some powers to restrict or limit the off duty extra income activities of the police officers? If we don't or how can we be held harmless?

The burden should have been on the Stadium Authority. The Stadium Authority should be paying this $20,000, or the other private dealer, Giant Eagle hires a lot of officers. Are we always held liable because of the actions of officers working part-time for extra money? If we are, that is wrong. Something has to be addressed here.

This isn't the first time this has happened. This has happened several times in my tenure on City Council. I think we should get a handle on this and better understand what our obligations are and if the extra work duty for extra income is going to continue. Then maybe the FOP as a union should take some responsibility to protect their members. Maybe there should be some indemnification contract that the vender has to sign, the private company, that is hiring these officers. It is just not right and I am voting no on this bill and on Bill 302.

Ms. McDonald:

Yes, I will be voting yes just to expedite this particular lawsuit. But I echo Councilman Ferlo's sentiments as well as Councilman Hertzberg who raised this issue in Executive Session on indemnification. I see it's a two sided thing. It's yes the officers are making money, but often times I know businesses in my area prefer to have police officers that are by state law allowed to carry guns and have arrest powers to enforce very critical incidence that may occur on their property.

But I would ask if Councilman Diven who, you're sorry you asked to Chair this committee, you have been busy haven't you? Councilman Diven, once again, to Chair another meeting. It could be a Post Agenda if

there are legal issues or whatever. It may need to be another Executive Session, but eventually the public is going to have to hear our deliberations on this whole issue.

I think the $20,000 is an outrage and it needs to be addressed.

Mr. Udin:

Thank you, Mr. President. I sympathize with the no vote expressed by Mr. Ferlo because it's aimed not so much at the settlement. I think it's important that we do settle the case because as wrong as the officers seem to have been, it seems that we are getting off easy with just $20,000.

We need to separate the settlement of the lawsuit from the question of how the City's policy ought to go forward relative to police officers working part-time duty? Whether they are able to do so in plain clothes or must they be in uniform? How are they compensated? What is the City's liability and indemnity issues?

There was an opinion circulated by the Solicitor. I believe I got it this morning. It raises as many as questions as it answers but at least it begins some dialogue and discussion. I think that Councilman Diven would be well served in looking into the matter, convening perhaps a Post Agenda or some other appropriate discussion where we can take some policy on it. But I think we need to separate it from the lawsuit.

Mr. Cohen:

Thank you. The thing that upset me about this when I first heard about it at Executive Session was that police officers are hired -- were hired in that instance not to protect the public, not to look for violence, drug activity, those kinds of things, that we try to protect the public from but rather to protect the public from counterfeit T-shirts. It doesn't make sense for us to have to pay out for inappropriate activities that resulted from that. The producers should be paying for that. The producer who hired the police officer, the private duty police officer, the individual was stopped because he might have been buying a counterfeit T-shirt.

Now I don't see how the public gets hurt by that. It bothers me to have to cast a vote to pay out $20,000 as a result of the activities that went with that. I think we have to pay for the settlement especially after some of the comments here this morning. We really have to settle this case. But I would hope that we would move forward with a bill with legislation to require private companies to indemnify the City, to hold the City harmless in cases of private duty officers.

Mr. Udin:

Point of order, I think it has to be pointed out since so many of us mentioned the T-shirt company, it should be pointed out that it turns out that the T-shirts were not counterfeit. The vendor was licensed, and everything was according to Hoyle and it is just a very embarrassing situation.

Mr. Ferlo:

Now I am even more mad.

The Chair:

The good point is we are going from dogs to T-shirts this week. Maybe it will get me off the heat here.

Mr. Hertzberg:

Thank you, I am going to vote for the bill. I know if in fact the police officers deprived someone of the civil rights, they would be found to be acting under the collar of law. We are going to be responsible. So I think in this case we have to settle the lawsuit, but it did bring up the issue of indemnification's of the City when it is a third party requesting that our police do something extra.

I received a memo from the Solicitor today kind of dealing with this topic, the issue of indemnification. I guess there is a fear that at least with the smaller employers that if we ask for an indemnification or an insurance coverage that it might be of the effect that they will no longer be able to afford to ask for extra police.

On the other hand it says where the City arranges the detail with major well-funded entities, we do require an indemnity. I don't know when that started, obviously it wasn't in effect with the incident that we are dealing with because we were told there was no indemnity on this one.

It does cry out as Councilman Cohen said for something official. I mean we need to wrestle with all of this. I think the fact of the memo says exactly that the bureau is wrestling with this issue. I think Council needs to wrestle alongside of them. We need to come up with something and figure out what the real impact would be of the different possible regulations in this area, but we do need to take some action.

Mr. Diven:

I would just like to say that, one I want to request the Clerk set a Post Agenda up with Chief McNeilly and the Solicitor. I know I have had the opportunity to talk with Chief McNeilly on a couple of different occasions, and secondary employment is something that they have been working very hard on. Unfortunately it's been an issue where because of the collective bargaining agreement with the F.O.P., you can't go too far, because then you get backlash from the Union. That's one thing we have to look at as how can Council support the bureau and bring an agreeable solution to this problem.

One of the things that the Solicitor had mentioned in her memo as well was we also have to take into consideration that these private details, even though they are paid for privately, still provide public service to the City of Pittsburgh by having a police officer in situations that have the potential of getting out of hand. So by having private employers pay for a police officer to be there, we can ensure that other police officers on duty aren't called in after something breaks out. So there is a delicate balance that we have to sit down and discuss when we talk about this issue and weigh out the pros and cons.

I am sure Chief McNeilly and the Solicitor will be able to give us all the background information that we need to make those types of decisions.

Mr. Ferlo:

As part of that request, to better understand the issue and I think there are a lot of things that we may not be looking at, I would ask respectively that the F.O.P. be represented at this Post Agenda. So we can understand some of the issues and concerns they have also about part-time security and off duty work.

In light of Mr. Udin's comments, and Councilman Hertzberg, I will vote aye on the issue solely of what is prudent in terms of

risk management on the lawsuit and separate out my issues on earlier --

The Chair:

I think it's clear that no one wants to vote for this but we have to because a mistake was made. I think also before we have this meeting we should find out what an insurance policy would cost. It maybe if this is a rare incident, and it only happens every two or three years, insurance would be very reasonable. Whether the F.O.P., the City, the small company, a buck an hour whatever that may be, I would like to have some information on what it would cost to insure. So we don't come back with a $20,000 T-shirt again. I would like somebody in the City to check out what an insurance policy would cost.

Mr. Diven:

The only problem I see with the insurance is that it is not just bigger events like this, but I think neighborhood bar to nightclub has a police officer there and the potential for some kind of liability the result of that.

The Chair:

You can buy a million-dollar umbrella very reasonable. So it would include from the big guy to the little guy, maybe fifty cents an hour additional on that officer.

Mr. Diven:

That's definitely something we need to be exploring.

The Chair:

Maybe a lot more or maybe a lot less.

Mr. Onorato:

Just one thing if I could ask the Chairman of Public Safety before we have the Post Agenda. If we have the law department clarify first that if this passes today that we have the Post Agenda after the plaintiff signs the agreement. So that we don't have to worry about Executive Session, we can speak freely in public because this will be resolved. I don't want to say anything that would give the plaintiff an opportunity to walk back and say I don't want this agreement. I want it signed, sealed, and boom it is over so we don't have that problem.

The Chair:

Very good point.

Bills are now ready for final action, all in favor of the passage of the bills vote ayes when your names are called. All those opposed, will vote no.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Udin
	Mr. O'Connor

(Mr. Onorato and Mr. Ricciardi voted no to bill 302 and Mr. Ricciardi voted no on bill 301.)

Bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 357:

Report of the Committee on Public Works and Environmental Services for April 15, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 293:

Resolution granting unto Donald F. and Virginia Martin of Ensign Avenue, Pittsburgh, Pa. their successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, an unpaved portion of Ensign Avenue, 18th Ward, 4th Council District.

Which was read.

Also,

Bill No. 294:

Resolution granting unto John Lauterbach of 402 Ormsby Avenue, his successors, and assigns, the privilege to construct, maintain and use at their own cost and expense, a one story structure and handicap ramp 16TH ward, 3rd Council District.

Which was read.

Also,

Bill No. 321:

Resolution providing for a contract for the repairs, maintenance, improvements and emergencies at various parks and park facilities in CD areas throughout the City, cost not to exceed $475,200.00.

Which was read.

Also,

Bill No. 322:

Resolution providing for a contract for the repairs, maintenance, improvements and emergencies at various parks and park facilities throughout the City, cost not to exceed $170,000.00.

Which was read.

Also,

Bill No. 323:

Resolution providing for an agreement for the furnishing of professional services, administering & marketing, lot clean up for the benefit of the residents of the City effective January 1, 1998, cost not to exceed $297,600.00.

Which was read.

Also,

Bill No. 324:

Resolution providing for a contract for street resurfacing and parks related asphalt work at various locations throughout the City of Pittsburgh, cost not to exceed $3,250,000.00.

Which was read.

Also,

Bill No. 325:

Resolution providing for a contract for street resurfacing programs and parks related asphalt work in CD areas throughout the City of Pittsburgh, cost not to exceed $2,397,810.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none, bills are now ready for final action. All in favor of the passage of the bills, vote aye when your names are call; all those opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. ONORATO PRESENTED:

Bill No. 358:

Report of the Committee of Planning, Zoning, and Land Use, for April 15, 1998, transmitting two ordinances to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 105:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12. by changing from "R4" Multiple-Family Residence District to "R2" Two-Family Residence District all that certain property located along the northerly side of Fifth Avenue between South Negley Avenue and Maryland Avenue, 7th Ward. (Council District 8) (HEARING HELD APRIL 9, 1998). **(SPONSORED BY MR. COHEN).**

Which was read.

Also,

Bill No. 143:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16, by changing from "R4" Multiple-Family Residence to "C3" Commercial District certain property bounded by: Lowell Street; Tyler Way; the southerly property boundary of Lot No. 209 of Block 125-A and Mayflower Street, 12th Ward. (Council District 9). (HEARING HELD APRIL 9, 1998). **(SPONSORED BY MS. MCDONALD)**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none bills are now ready for final

action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

The Chair:

Moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Very briefly, Mr. President and Members of Council, this afternoon I have the honor of chairing a Post Agenda meeting, it is not the most burning issue in City government. It involves the livability of our parks and our communities and it concerns dogs. Now this is not the dog issue that the President has raised regarding having a zone where dogs can run, I am not sure about that bill. It is coming up tomorrow I think for discussion.

Rather I don't think it is just peculiar to my neighborhood maybe because of the early spring more people are out using our parks walking their dogs and the like. I have gotten a considerably larger number of calls and complaints into my office regarding inappropriate activity not by the dog, the dog engages in the inappropriate activity, but I would like to place the blame on the owner and the individual who is actually responsible for the dog. The Post Agenda meeting will have the magistrate involved with the dog court as they call it. We will have people from the Parks Department, Environmental Services. The basic issue is the inappropriate activity of everything from owners that allow their dogs to run freely.

I have been confronted and I have had to go after owners, particularly owners of rotweillers that have allowed their dogs to run freely, not only in Highland Park but other city parks. It is not just rotweillers, there are other dogs that are inappropriately let loose, running freely. There is a problem with runners and other people including children that have been confronted by loose dogs in the parks. It is not allowed; it's a violation of city code and it should stop. There should be better enforcement.

The Post Agenda today we will try to better understand the depth of these problems around the City, what is the administration's response? How many tickets have been written? What happens when these people go to housing court? Does actually anything ever get done? And dogs that are allowed to -- dog feces in the park is a problem we have spent a lot of money.

Maybe this seems like an issue that is not important to a lot of people, but the people who live in these neighborhoods, including the ones that I represent and for a lot of children that are playing in the new

playground areas that we have in the city parks, dog feces is a problem. Many owners are irresponsible. I would say the majority of owners are great but it only takes a few bad owners to ruin it for everyone else.

I want to know why there isn't more effective enforcement. We don't need any more laws or ordinances, God knows we have enough laws, we have enough ordinances, we need better enforcement. The Post Agenda is today at 2:00, dealing with animals that are running loose, not on their leash, dog feces in the park and on City streets, more people are calling me and why can't we put signs up? Well, signs don't do anything. We can have a sign on every corner in the whole darn City and that is not going to help resolve the problem.

People need to be cited with a ticket, they need to be brought to court, and they need to be held accountable for their behavior. You can't blame the poor animal. You ought to blame the owner. That is partly what the Post Agenda is about this afternoon. I think it is cable cast. I know a number of neighborhood groups have raised concerns about this issue. I would ask your participation this afternoon. I will keep it down to a dull roar, and I will try to do the Post Agenda in less than 40 minutes, get right in on the issue.

The Chair:

Can I respond to that issue? Actually, Mr. Ferlo, my bill is in response to that. I agree exactly with what you said. If you look at Frick Park, the Nicholson Street, there is a big sign as you enter, $350 fine dog must be on a leash. I have had over the last two years probably the biggest complaints are dogs running loose in all of our parks. So unfortunately one of the headlines yesterday described saying I wanted everybody to run free, well that is not what I want. I agree with exactly what you say, I want stronger enforcement. Dogs should not be off leashes at any time.

The issue I am saying is can we find areas that are either fenced in or off the beaten track where people could take their animals off the leash only in those zones. So I support what you're saying, where their doing their business I have had more complaints, I have Schenley Park, Frick Park and have close to Mellon Park one of the major issues in my neighborhood were dogs scaring people, and scaring runners.

So I have been feeling this tension for two years. I am glad you're bringing this up. I can tell you the number they have cited a lot, but it is not enough. So we have to crack down on that.

So my issue kind of addresses after hopefully your crack down works and what can we do as an alternative. It is certainly not to let them run wild. I want to control it much more than it is. I believe we are on the same track.

Mr. Onorato:

I look forward to today's discussion, because unfortunately when you are talking about this issue you have a wide range of types of dogs. If you are talking about a simple household pet of a moderate size is one thing, but I think there is also a different type of problem going on right now in the City. A problem of the 90's and maybe the drug culture, and that is these pit bulls, and doberman's and protection dogs is what I call them. I am anxious to talk to the magistrate and hopefully he can shed some light also on the district justices who also deal with this.

Any dog that falls into that category that is a very dangerous dog, I don't know how you define what the dangerous dog is, but if they are found loose once, if they attack a kid once, in the law, these dogs are allowed to be terminated. I think they should be removed. We should not just fine $300. If any child in my district gets attacked by one of these dangerous dogs, either that judge better terminate them, or I will make sure that somebody does. Because that goes beyond the quality of life in the City.

This is a danger and I will just point out there was a young child in my daughters class last year that was attacked and had to have some surgery to his face. If anyone thinks this is a silly issue or I am being outrageous, I am serious. You don't get a second chance. If you are going to have that type of dog and it gets loose just one time, you do not deserve to have the right to own a dog like that. They are too dangerous. This is not a small house pet. These are dangerous animals that have no right to ever be loose off a chain, off the leash.

So I would hope that these magistrates take it seriously, the district justices take it seriously and eliminate these dogs from running free in our streets.

Mr. Ricciardi:

I am very pleased as I stated several weeks ago that Mr. Ferlo has raised this issue. I really commend him. He says it might not be a burning issue here in the City of Pittsburgh, but I believe it is. I believe it is a quality of life issue that needs to be addressed. Especially cleaning up after ones animals. I know in the South Side and my Hill Top communities we have been somewhat successful in cleaning up their act by using signage. We did see signage did work, but other issues need to be addressed. I am looking forward to participating and working with Councilman Ferlo to address this issue.

The Chair:

I think it will be a lively discussion and I believe it certainly supports your crack down.

Mr. Hertzberg:

In the primary election on May 19th there is a very important referendum question dealing with the Allegheny County Home Rule Charter. It is a yes/no vote and I am going to ask -- I will be making some more remarks, but I will be asking at the conclusion of my remarks that City Council hold a televised Public Hearing on the topic. One of the main reasons I want to do that is because I feel the media coverage to date has been completely one sided.

I have never seen anything so completely one sided on such an important issue since I have been of the age of reason. There is only one side presented and I want to people to know there is another side. They can hear both sides and make an educated decision instead of what appears to be just efforts to brainwash everyone into thinking that there is only one vote on this topic.

I myself am voting no. I am actively campaigning against this. I think beginning with the process that was used to get this referendum question on the ballot it, shows a very undemocratic process. We had legislation that put this on the ballot taking merely two days to get through Harrisburg. One day in the Senate; one day in the House. We have a question on our primary ballot on this Home Rule Charter. Compare that with

some of the legislation that maybe some of us have followed things that maybe would benefit the City, are housing court, for example, our enforcement of illegal dumping laws, things that are in committees year after year after year. This legislation two days bing, bing it's done. And it was done that way because it was amended onto another bill.

It didn't go through any of the committee hearings that normal state legislation goes through. It got the Soldiers and Sailors Memorial Hall and the governing of that particular entity. And something else that is uniquely undemocratic about the process used in getting this referendum is the fact that all other Home Rule Charters have involved the election of a Home Rule Charter Study Commission including the Home Rule Charter that we are sitting under in this City Council.

Members of that Study Commission were elected people. The people that prepared this proposed county one were chosen by the leadership of the State Senate and the State House, primarily people that aren't even from around here.

The charter itself, the biggest change of course is that it eliminates the three County Commissioner system and replaces it with a Chief Executive Officer an elected Chief Officer and appointed County Manager and 15 County Council Members. The proponents say well there is too much gridlock in the system. It seems chaotic how laws are made; well that's part of democracy.

The constitution works like that too. Everybody yells and screams, they don't like filibuster's they don't like gridlock, they don't like how things work debate is what it is about. No one ever said government should be run like a business. That's what the proponents are saying. This is more business like, this will help the economy, that's how business should run. Yeah, that's fine, everything should be smooth in business.

The government by democracy is all about the people participating and there being some level of consent from the people and not just shooting things through because some dictator at the top thinks it is best for the people. And it's set up that way. You have in the charter itself you have a County Council that is set up to be nothing but a rubber stamp kind of operation. It's part-time, no salary, prohibited from having staff.

One of the most enlightening provisions here is found in article four, it is very short. Article 4, Section 3, but what it would do is stop County Council from really responding to constituent service requests. It says County Council and its members shall deal with the Executive Branch exclusively through the Chief Executive or Manager except for the purpose of obtaining information and advice. Individual County Council members shall not give orders or instructions either publicly or privately to employees of the Executive Branch.

So if I may go back to my office and pick up the phone and talk to Ralph Kraszewski under this county charter you can't do that. In addition, the last point I want to make is the district system, and this is where I think members of Council and city residents have to pay very careful attention. The district boundary lines have not been drawn. The district boundary lines if this thing is approved will be drawn by a reapportionment commission appointed again by the same people in Harrisburg, the House leaders and the Senate leaders who currently

reside in Philadelphia, Scranton, Altoona, and Green County. They will pick the four, and the four then will pick a fifth. You will have a reapportionment commission.

I think we have all at some point in time had some experience with what is called Gerrymandering, very few courts have ever overturned reapportionment. There are ones here and there, they are very infrequent. But what we can end up with is 13 districts in this county. We could have the City divided into those 13 districts where you have approximately 100,000 people in each district. The City divided into 13, the City virtually having no voice what so ever.

I don't know -- I am voting against it. I don't know if it will pass. If it does, I don't know if that will happen. I would say it's out there, it is a possibility that that will happen. I would say in general, I think, Home Rule is a very good concept. I have liked the way it has worked in the City of Pittsburgh government. I think it is a good concept for Allegheny County, but I don't think the charter that is being proposed is a good charter.

I think perhaps we would have a better charter if the process used to draft it had been an appropriate one. But it wasn't and for the reasons I have stated earlier. At this time I am going to make a motion that City Council hold a televised Public Hearing on this topic.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

Thank you, Mr. President. I am kind of surprised that we would schedule a Public Hearing and then hold the Public Hearing at the Council Meeting. But since the Councilman has elected to begin that, I feel compelled to respond and we can have the Public Hearing here.

The Chair:

I will let you respond but we are not going to have a nine member Public Hearing.

Mr. Udin:

First of all, it's clear to me that many of the proponents of the Home Rule Charter people who are fighting desperately to keep the status quo have decided to fight fact with fiction. Much of the fiction described in what Councilman Hertzberg just gave us a laundry list of is a preview I guess of what's to come as we discuss this debate.

I won't respond to every single comment that the councilman enumerated, but I think most importantly that it is clear that we have to distinguish between gridlock and democracy. I don't understand how we can say gridlock is a part of democracy. Gridlock is not debate, debate is a part of democracy, but gridlock is not debate nor democracy.

I think the evidence that we need is indicated in the fact that the very commissioners who are locked in this gridlock every day, all three of them support a change and are ready to abandon their own commission offices in order to bring about a change. But still there are those who desperately cling to the status quo, desperately cling to the old ways of doing things. I think the people see very clearly that it's time for a change.

The Council that is proposed is not a

rubber stamp Council. Anyone who objectively and honestly reads the charter will see that the powers of that Council are almost exactly the same as the powers of this Council body. The powers and duties of the executive are almost exactly the same as the powers and duties of the Executive Branch of City Government. That is just a falsehood and I think if we are really going to claim for the make a call for democracy then the information that we put out needs to be objective and candid and honest and not distortionist.

We cannot call Ralph Kraszewski and give Ralph Kraszewski orders. We can talk to Ralph Kraszewski and there is nothing in the charter that prevents Council members from talking to administrative heads. We don't order the department heads around in this City government. We don't tell them what to do, not even the chairperson of a committee tells people what to do. Councilman Diven doesn't order the Chief around, that's just not the way it works.

It's a distortion to say anything other than that. The current Home Rule, the issues are two, Home Rule versus Harrisburg Rule. Right now if the City Prothonotary's Office wants to change it's hours from nine to five to ten to six, legislators from Crawford County and Philadelphia County and Erie County get the opportunity to vote on that because Allegheny County does not have Home Rule. We need to go to Harrisburg to get a license for a bingo game because Allegheny County does not have Home Rule.

When the Coroners suggested that the Coroners Office ought to be staffed by a medical examiner rather than just an elected politician with no medical experience, we had to have it debated in Harrisburg. Because in Allegheny County wouldn't agree to some other bill that had to do with Eastern Pennsylvania, the bill that we wanted to have changed was not changed because it got tied up in the politics of Eastern Pennsylvania having nothing to do with whether or not Allegheny County should have a coroner or a medical examiner. That's the kind of Home Rule these people who are hanging onto the status quo want us to continue to have.

The second choice is a consolidated commission versus the separation of powers. What makes the City Government more effective even though we debate and argue is that there is a separation of powers. There is a Legislative Branch and there is an Executive Branch and they act as a check and balance on each other. This ancient system that we have imported from England with these commissioners, consolidates the power of the executive and the legislative all in the same person.

They all have equal power and that's what creates the gridlock and makes it subject to personality gridlock. That's what is really going on a lot of the times over in the County Commissioners Office. So we need a separation of powers in the county government the same way we have a separation of powers in the city.

One final point if I may, Mr. President, and thank you for accommodating this lengthy response to the fiction that is being put out here. There is a very important issue for the African American community of Pittsburgh and Allegheny County that's at stake here. For as long as I have been alive, we, African Americans in this city and in this county have limited the fact that we have never had the opportunity to elect row officers. We have never had the opportunity to elect County Commissioners because the participation in

the population is so low.

Although there are certain programs and departments of county government that are exclusively controlled by county government not controlled by city government, only county government, but still those programs disproportionately effect the African American community. Such as the criminal justice system, the courts, the judges, the district attorney. Such as the drug and alcohol system in the county, the mental health system, the welfare department, the health department. Those are issues that are controlled by the county that African American people in Allegheny County have no opportunity to impact policy wise legislatively because the population is low and at large system. The way it is we don't have districts like Council does it's all at large and we are not able to access the policy. We are not there at the table.

The opportunity to change the form of government in Allegheny County gives African Americans in Allegheny County an opportunity to elect representatives who will be seated at the table and even if they are just one or two of 13, that's better than not being at the table at all.

So we have an opportunity here that has a lot at stake. As I watched the Johnny Gammage trial and I watched with a lot of dissatisfaction at the way it was being prosecuted. I was frustrated at the fact that as a City Councilman I could not reach Brentwood. I had no jurisdiction and authority in Brentwood. When I watched the judge doing things that I thought were totally inappropriate when he should have recused himself.

As a City Councilman I had no jurisdiction outside the City and people in the county have nobody at the table. We have a lot at stake in this opportunity to bring about change. I will be voting yes for change. I would hope that all of the listeners would look squarely at the facts and don't let the people hanging onto the status quo fight fact with fiction. Thank you

Mr. Ricciardi:

Thank you. I would like to take this opportunity to go on the record and that is that yes I support the concept and the principle of Home Rule, however I do not support the particular legislation that's going to be on the ballot and I am going to be voting no.

I appreciate and understand the passion of our colleague Mr. Udin; however, I disagree with him on several points. Yes, I have read the Charter and I believe the County Council will be staff driven, the same criticism that I have of the current school board. There is just no way that I believe that the County Council will really be part of the government but instead would be a rubber stamp, but would be staff driven.

I have a lot of problems with the way they describe the County Manager's position. I don't believe someone who is not elected, not accountable and really not going to be visible to the taxpayer should have the ability to hire and fire and discipline. I think those powers should be with our Chief Executive and that's a real problem.

I am going to just come out and say I also have great concern about the sunshine provision in that charter. I believe after four years that that County Manager is going to have their scope on the row offices to either abolish them or try to merge them thus causing number one jobs and efficiency. I

don't have this big problem that the media does and that some others in the private sector have with the county row offices. Yes. they probably need to share responsibilities and maybe merge some of their responsibilities and duties. But really read that Charter, after four years everything is going to be up for a grab.

It is going to try to be the model of the private sector when it comes to the abilities of the CEO and others. It just can't work in the democracy when you talk about government.

I am looking forward to the Public Hearing. I am looking forward to having more discussion on it. I am going to follow your advice, Mr. O'Connor, and not make this the Public Hearing. But I want to be part of the record. Yes I support Home Rule for Allegheny County, but not in this particular legislation that was drafted, that I believe was drafted just by the private sector and the votes will show that it was really pushed by the heavy republican majority in both houses.

The Chair:

I believe it's very healthy and necessary to have this because whether fact or fiction the word isn't getting out. I don't know if it is possible because I have had a few debates on both sides, a lot of questions aren't answered. The people debating don't have the final answer that the people are asking. Is it possible to have either members who did this charter so that we have someone of responsibility whether it be the lawyer who wrote it to say yes this is the fact or isn't the fact? There's been a lot of distortion on both sides. I would request somehow we have experts who chartered this to give us an honest answer not only for ourselves to make a proper decision, but the general public. I look for a lively hearing.

Mr. Cohen:

I think we can have that and should have that and an expert on both sides. There is certainly organized opposition now and I think it's very healthy. I look forward to that debate. If today was any indication, it is going to be a lively debate and what it will do is get information to the public.

I have the same feeling that you do when I walk around and ask people if they know that this referendum is on the ballot for the Home Rule Charter and many people do not know. Even if they do, they don't know what it involves. This will be helpful. I actually had another issue.

The Chair:

I heard the debate between Jack Wagner and Tom Flaherty, it was very interesting, it was a great debate. The more we hear the better for everyone.

Mr. Hertzberg:

Let me just suggest we go out of our way to be fair in whatever the procedures are which you, Mr. President, would do. I'd suggest so that the proponents and opponent each get a chunk at the beginning they can utilize as many people as they want, but they get whether it be ten minutes, fifteen minutes, each side and then we just go into the three minute per speaker --

The Chair:

Similar to a Planning Commission presenting us the case.

Mr. Hertzberg:

That is what I would suggest. I am not going to go into great depth but just to briefly respond to Councilman Udin, I feel a little bit personally attacked.

Mr. Cohen:

Point of order. No defense in anyway to my colleague. He gave a very articulate view of his position, but we are going to have a Public Hearing on this. If we get rebuttal time then Councilman Udin or some other member is going to want rebuttal time. Why don't we leave it at one speech on each side and then go to the Public Hearing?

Mr. Hertzberg:

If I didn't feel personally attacked, I wouldn't ask for rebuttal. It will be brief and that's to say I feel personally attacked when you tell me that I am distorting and presenting a fictitious enactment of something. I take it as a personal attack be that as it may.

The Chair:

Any other discussion?

Mr. Ferlo:

Can we just clearly ask the Clerk's Office when people call in if they are clearly in favor or opposed so we can have a person speaking in favor and one opposed. We had a lot of confusion at a recent Public Hearing. I am sure each side will attempt to monopolize.

Mr. Udin:

I want to assure my colleague that my comments were not meant as a personnel attack. I was attempting to attack what I thought was a distortion and that they were not personally intended. If my colleague took them as a personal attack he has my apology.

The Chair:

Thank you. No further discussion?

Mr. Cohen:

I have been patient, Mr. President. I will be brief because of the lateness of the hour. In this morning's Pittsburgh Post Gazette, the headline says imagining Fifth Avenue. A report on specific plans for revitalizing Fifth Avenue including the hiring and already been hired consultant called Retail Properties Corporation. The latest proposal apparently involves 38 stores everything from Boarders Book Store to Planet Hollywood.

As reported in the paper, at least the City will make a final decision about the proposed Fifth Avenue district in June. Unfortunately this City Council can only imagine what is going to happen on Fifth Avenue because we have never even gotten any details of what the administration is doing with respect to Fifth Avenue. I would rather not be in a position of imagining since we are public officials in charge of disposition of property among other things.

I would ask that we schedule a Post Agenda so that the administration can finally brief us on their plans for Fifth Avenue. From what I have read, I am not stating an opposition to the plan. From what I have read the plans sound good, but we have not had any details, at least I haven't, I don't know if other colleagues have. Please let me know. But we have not had details as to what the plans are.

It does involve obviously a very important street in the City of Pittsburgh, right in the center of downtown. It is going to be an extremely expensive project and one that will involve the disposition of property.

As I said, I am not saying I am opposed to it, how can I be in favor or opposed to it, we haven't been briefed on it. I would ask that we schedule a Post Agenda as soon as possible.

The Chair:

Maybe we can do both, Mr. Udin has a Thursday Downtown Post Agenda discussion on the downtown plan I believe this would fit into any of our questions.

Mr. Udin:

If I could comment on my colleagues notion. As you know I am the district Councilman for the downtown area, so if you want to know just come to me and ask and as soon as they let me know I will let you know.

Mr. Cohen:

Whatever way the District Council Member would like to handle it is fine with me. Obviously, I respect that position but we need to be briefed on this, the District Council Member first and then the rest of us. My only problem with including it in with the rest of the downtown plan is there is so much involved in the downtown plan I fear it might get minimized.

The Chair:

I believe it will take 30 seconds to tell you what is on there because the City doesn't own any of that property. I don't know how we can, that I know of. I don't know how we can go in and tell people that we are going to put a bookstore or a Planet Hollywood on your property.

Mr. Cohen:

It's going to take more than 30 seconds for them to try to explain how they are going to do that.

The Chair:

That is what I am saying. I don't know how they can be doing all these plans. Although they are nice, I hope they can happen.

Mr. Cohen:

Whether it is through condemnation or -- We need to hear what is going on.

The Chair:

It sounds like a wish list blueprint that I hope all happens, but I don't know what direction they are going when they don't own any of the property yet.

Mr. Cohen:

If Councilman Udin agrees I would ask that we have a separate Post Agenda on this issue.

Mr. Udin:

Yes.

The Chair:

When he gets tomorrow's paper, he will know what is going on. We do have a televised Post Agenda on the downtown plan Thursday at 10:00 and Plan B discussion with

the Mayor in his conference room this Thursday the 23rd. So we have two meetings at 9:00 and 10:00 on the 23rd.

Any other discussion? No more debates? Hearing none, do I have a motion to approve the minutes?

MR. UDIN moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Do I have a motion to adjourn the meeting?

MR. UDIN moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion of Mr. Udin, the meeting adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, April 28, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

All please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

This morning we are honored today to have John Thomas Tokarski the third. He is 6 years old in the first grade of North View Heights Elementary School. He is with his father John who works in the Mayor's Office and he lives in my Council District.

He has a special treat for us; he's going to say the pledge twice, once in Spanish and once in English. We will let him do the Spanish by himself.

John Tokarski:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one Nation under God indivisible with liberty and justice for all.

The Chair:

John, on behalf of Council we have a flag of our City and of our Country for you.

Thank you for coming down.

We are also honored to have Dan Frankel. Dan, welcome to Council Chambers, member of the URA Board. We have many special guests today.

PRESENTATIONS

Mr. Ricciardi:

Along with Mr. Udin.

Our very honored guests, please come forward Jim Costanzo and Anthony DiCello. These two gentlemen are also accompanied by Jimmy's lovely wife, Debbie. This resolution, colleagues, is

sponsored by Councilman Sala Udin and myself. I am very pleased and honored to give this resolution today to these two gentlemen both of which are friends of mine. Tony from the South Side and Jimmy from the central business district. I have known Jimmy for a long long time I frequented his place many times along with others and not only is it well deserving establishment, but they are two very fine individuals and they have great foods at reasonable prices also.

MR. RICCIARDI AND MR. UDIN PRESENT:

No. 359 Whereas, in 1978 Jimmy Costanzo purchased a "shot-and-a-beer" bar located at 110 Smithfield Street in downtown Pittsburgh from Anthony DiCello and renamed it "Jimmy's Post Tavern"; and,

Whereas, Jimmy's Post Tavern struggled through its early years on a shoestring budget, catering to the lunch crowd and watching Pittsburgh's Renaissance II take shape; and,

Whereas, during this period Jimmy's Post Tavern received the prestigious Golden Hook Award for the "Best Fish Sandwich" from the Pittsburgh Press. Jimmy's Post Tavern now purchases over 500 pounds of fish per week to meet the high demand for this most popular item on the menu; and,

Whereas, hard work and quality service resulted in Jimmy's Post Tavern expanding to the second floor. "Up Over Jimmy's" relieves some the pressure on the bar/restaurant downstairs while providing an upscale menu in a more relaxed atmosphere. A patron's request for a catered lunch resulted in the establishment of "Jimmy's Corporate Catering," now serving over 200 accounts with the same quality food enjoyed at the Smithfield Street establishments. The availability of the former Don Vito's Pizza resulted in "Jimmy's Downtown Pizza and Lounge", the latest addition to the Jimmy's Post Tavern stable; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates Jimmy's Post Tavern on 20 years of good food and quality service for the people of the City of Pittsburgh and wishes owner Jimmy Costanzo continued success in all of his endeavors.

MR. FERLO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I am going to ask Mr. Udin to please give the resolutions to our honored guests, Mr. Udin.

Mr. Udin:

First, I would like to thank Gene Ricciardi for initiating this recognition. I certainly have had my fair share of Jimmy's fish sandwiches. But it also gives us an opportunity to acknowledge some of Pittsburgh's older small businesses. As we talk about new renaissance and bringing new big change to Pittsburgh, it is important for us, I think, not to allow the new development to move out the old established developments that have been here through the years serving Pittsburgh. Sometimes that can happen if we are not

careful and don't look out for Pittsburgh's small businesses. So it's a pleasure to acknowledge the Costanzo family and welcome them here to Council.

Mr. Costanzo:

I would like to thank everybody for this opportunity. It's been a hard road over the years downtown but we have gotten through it. In the early years I never would have made it without Tony's help, the former owner. He was very instrumental in helping me to get through those hard times. He taught me a lot about the business and it all worked out in the best for us. Thank you very much.

Mr. Ricciardi:

Let me just say, Jimmy is really a great guy because when I offered to give this resolution, he said we really need to have Tony DiCello there and I thought that was just wonderful. I want to bring up Mr. South Side, Tony, if he could say a few words. Thank you.

Mr. DiCello:

There is nothing I can say any better than what Jim said. In the mean time I couldn't have done it for a better guy. I am glad that it happened this way. I want to thank you people.

Mr. Ferlo:

I would like Larry to come up, Mr. Marathon, UPMC, and this was kind of done late with my apologies. I would ask, if there is no objection, I would like to introduce this on behalf of all our colleagues on City Council.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 360 WHEREAS, the UPMC Health System/City of Pittsburgh Marathon to be run on Sunday, May 3rd, 1998 is now, in its 14th year, a virtual cultural and athletic mainstay in the City of Pittsburgh; and

WHEREAS, this year's marathon will feature the United States Men's National Marathon Championship for the second consecutive year, drawing top competitors from all over the country to our city; and

WHEREAS, this years events will include the Mellon Bank Relay Team Championship, the Tri-State Health System 5K Run/Walk, and Saturday's Children's Mini-Marathon; and

WHEREAS, the Marathon will include the participation of over 2700 Marathoners, over 800 team relay participants, and over 1200 5K participants from all over the city, country, and the world; and

WHEREAS, the Marathon's Neighborhood Festivals Program draws community support from each neighborhood along the Marathon route, exciting both the runners and Pittsburghers, and bringing focus to and energizing our communities; and

WHEREAS, the Marathon is an annual event in the City of Pittsburgh which brings business into our neighborhoods, vitality into our city, and passion into our hearts;

NOW, THEREFORE, LET IT BE RESOLVED, that the Pittsburgh City

Council does hereby declare Sunday, May 3rd to be UPMC Health System/City of Pittsburgh Marathon Day in the City of Pittsburgh; and

LET IT BE FURTHER RESOLVED, that the Council does wholeheartedly commend and applaud all of the hard working men and women whose labors of love have made this event an annual success for the past 13 years and wish its best to the planners of this year's Marathon and the best of luck to all of this year's competitors.

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I would like to ask that this be done on behalf of all of City Council and Larry Roman is no stranger to Council Chambers. He's been working for the last several years when the UPMC took over the annual Marathon and it remains a great and important event.

It is probably a little bit unusual I don't think most Mayors run in the event around the country. There has been a few of them. I think we can be proud that our own Mayor is a big supporter of the Marathon and is running himself but I would like to equally be proud. I think Councilman Hertzberg has run it for several years. I want to when we get a picture up here, if he could stand in my place and let him take the picture with Larry from UPMC. I think it's more appropriate.

I don't know if Councilman Udin or Councilwoman McDonald or anyone else runs the Marathon but I run the marathon only by serving beer all day long. I don't actually run the Marathon but to the credit of UPMC they provided some seed money, and I think they have helped to reinvigorate the excitement of the marathon all along the parade route. Many neighborhood volunteers and groups have done what Bloomfield has been doing for a good number of years and that is adopt a portion of the marathon through their respective neighborhood.

It is unfortunate that the bulk of the Marathon route we lost in the Butler Street corridor, and obviously the Lawrenceville residents are not pleased about that. It is unfortunate, but I think it was not a situation where anything else could be figured out. But the Marathon does come through a portion of Lawrenceville in the Sixth Ward and we have an 8:00 am continental breakfast planned at 36 and Butler with the Lawrenceville Block Watch Network. That is this Sunday, May 3rd, Marathon day at 8:00 a.m. You will have flags and balloons and T-shirts.

It is going to be a great kind of the first harrah wave of fans for the marathoners running them on. Later today there are events throughout the neighborhoods all of which we represent. I know in the Bloomfield corridor, the Bloomfield Citizen's Council and the Bloomfield business association with Councilman Cohen's leadership and help also each year puts on a great party, which actually begins on Friday and continues throughout the weekend. They kind of make it a neighborhood festival that weekend along the Liberty Avenue corridor.

Probably the biggest event of Bloomfield is probably my party down at the Bloomfield Bridge Tavern. We go through about 16 half kegs in four hours not that I am promoting beer drinking, but we have a great party. That just gives you the size and the magnitude every year we have a different theme, this year it is a Polka party so please come down around 11:00 to 2:00 at the Liberty Avenue corridor and whatever you join in you will have a great time.

I am going to let Larry make the announcement which I woke up to on the John Cigna show this morning, which is some great news for the future of our city. I think it also ties into the other announcement and I always get to pick on the Ridge administration. This time I would like to obviously thank the Ridge administration for their commitment on the Convention Center financing. I think it ties in directly to the Marathon and all the other cultural and sports amenities that we have in the City of Pittsburgh.

So with that I would like to bring Larry up here for his special announcement, give him the proclamation, and I am going to exit out. I am going to ask my colleague, Mr. Hertzberg, who is a runner in the Marathon to finish out here and take his picture with you.

Mr. Roman:

Thanks so much. We certainly appreciate the support of City Council and the Mayor's Office and certainly the folks from the City of Pittsburgh. Our race is known nationally as a race that runs through the neighborhoods, where there's great community support. It's part of that support carrying through what we have done with the 1997 and 1998 Men's National Marathon Championships and we put a bid in to host the 1999 and 2000 Championship and the 2000 Men's Olympic Trials.

While the timing isn't the greatest we found out late yesterday which was reported in the newspapers this morning, the City of Pittsburgh and UPMC Health System, City of Pittsburgh Marathon have been awarded the 1999 Championship and the 2000 Men's US Olympic Marathon Trials.

So we will truly have a great national spotlight. We will truly put a national spotlight on Pittsburgh. We are hoping to have a national TV audience for the entire event and certainly we will have a great number of people from all over the country as well as internationally interested in the trials. They had to bring the trial event back to Pittsburgh and we certainly appreciate the support of City Council, Mayor's Office and especially the City residents that will be out on race day. Thank you very much.

Mr. Hertzberg:

Thanks, Jim. You know one of the things I think was cited when the selection was made to have the Olympic Trials here in Pittsburgh in 2000 was how much the participation level is around the City of Pittsburgh. It is supposedly one of the top three cities to run in and just because of the atmosphere and the encouragement you get from the neighborhood.

So, Mr. Ferlo, what you do out there in Bloomfield in bringing everyone out and all the different activities in our neighborhoods are a real, real big part of

the Marathon. To me running in it, that's the biggest pleasure I get out of it going from neighborhood to neighborhood and seeing a familiar face here and there and encouraging you on because I don't know if I would make it otherwise. Don't look for me in the front of the pack either. No, I won't be by for any breakfast, so figure the lunchtime crowd is what I will be seeing.

MS. MCDONALD PRESENTS AND ALL COUNCIL MEMBERS PRESENT:

No. 361 WHEREAS, the month of May 1998 has been declared Older Americans Month with the week of May 11-15, 1998 being National Senior Center Week; and

WHEREAS, Citiparks has served the INTERESTS of senior consumers since 1957 and over 20,000 have received services and census data indicate that there are now 86,000 Seniors in the city who can reap the many benefits in the Senior Community Centers in the SENIORINTERESTS Program; and

WHEREAS, the multi-purpose mission of SENIORINTERESTS is to address the intellectual, physical, social and financial interests of the Seniors; and

WHEREAS, over 200,000 meals are served in our centers keeping older Pittsburghers healthy and socially involved; and

WHEREAS, Seminars will be held on three Thursdays in May at selected sites providing practical information on services for family and friends of Seniors enriching their lives;

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors the SENIORINTERESTS Program, and its participants, and all Seniors in the City of Pittsburgh, and encourages all residents to become involved with the SENIORINTERESTS Program.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares May 5, 1998 as SENIORINTERESTS Day in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. FERLO PRESENTS AND ALL MEMBERS OF COUNCIL PRESENT:

No. 362 WHEREAS, the advent of the nuclear age has brought with it a time of potential destruction to humankind which is greater than the world has ever known; and

WHEREAS, more than 20,000 nuclear weapons still remain in the arsenals of the United States and Russia; and

WHEREAS, nuclear missiles of Russia and the United States are still maintained on high level alert, ready for immediate launch-on warning, despite the end of the Cold War and the absent possibility of a massive first strike by these former enemies; and

WHEREAS, the dangers of "accidental" launch and "accidental" nuclear war are growing because of

continued, unnecessary reliance on the high level, hair-trigger alert status of nuclear weapons, combined with the progressive deterioration of Russian command-and-control systems and technology; and

WHEREAS, cities such as Pittsburgh are major targets of deployed nuclear missiles; and

WHEREAS, authoritative studies have demonstrated that an "accidental" launch of nuclear warheads from a Russian submarine could produce as many as 1 million casualties in Pittsburgh, for which there could be no significant medical response; and

WHEREAS, many military experts, security authorities and national leaders, such as Admiral Stansfield Turner (ret.), former Director of Central Intelligence, General George Lee Butler (ret.), former Commander-in-Chief of all U.S. strategic nuclear missiles, Sam Nunn, former Chairman of the Senate Armed Services Committee and former President Jimmy Carter are calling for the de-alerting of nuclear weapons, separation of warheads from missiles and their placement in secure national storage.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins military experts and security authorities and encourages the citizens of Pittsburgh to call for measures to prevent accidental or inadvertent use of nuclear weapons, including the mutual and verifiable removal of nuclear weapons from alert status and removal of warheads from missiles bu the United States and Russia; and

BE IT FURTHER RESOLVED, that Council of the City of Pittsburgh calls upon our government, together with all of the other nuclear weapon states, to promptly begin negotiations of a treaty to prohibit and eliminate all nuclear weapons and to complete these negotiations by the year 2000 so that in the new millenium the citizens of Pittsburgh can live in a world free of nuclear weapons.

MR. FERLO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTS:

No. 363 WHEREAS, The friends and family of Mr. Melvin Carnell Blount will come together on Saturday, April 11, 1998 to celebrate his 50th birthday at the Pittsburgh Hilton Hotel; and

WHEREAS, Mr. Mel Blount was one of the most skillful and powerful cornerbacks ever to play the game of football. Mr. Blount's extraordinary life started on April 10, 1948, on a small farm in Vidalia, Georgia. As a multi-talented individual, Mr. Blount excelled in baseball, basketball, and track & field Lyons High School in Lyons, Georgia. As a result of his adroit athleticism Mr. Blount earned a football scholarship to Southern University in Baton Rouge, Louisiana. After proving to be a very valuable player, Mr. Blount was drafted by the Pittsburgh Steelers in 1970, after his graduation; and

WHEREAS, Through Mr. Blounts fourteen year career he only missed one game. This tried and true dedication to the

game is a strength that has transcended many areas of his life. To this end, soon after Mr. Blount's retirement in 1983, he opened the Mel Blount Youth Home of Pittsburgh. Through this program Mr. Blount has turned life around for over 200 many youths; and

WHEREAS, Mel Blount is affectionately known by the youth as Mr. Mel. As he is a devout Christian, Mel Blount encourages youth at the Youth Home to build their spiritual base to help them overcome current and future obstacles and to become truly successful.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Mr. Melvin Carnell Blount on his outstanding football career, but especially for his devotion to at risk youth, our community, and to his guiding principles.

MS. MCDONALD moved to adopt the resolution

MR. FERLO seconded the motion.

Which motion prevailed.

MR. RICCIARDI PRESENTS:

No. 364 Whereas, Steve Laskovich served as an officer for the Prince of Peace Athletic Association for eight years, first as Treasurer, then as Athletic Director; and

Whereas, Steve Laskovich also served as coach for the Prince of Peace Athletic Association's boys' basketball team and girls' volleyball team; and,

Whereas, during Steve's eight years over 400 children have participated in the Prince of Peace Athletic Association programs, including his own three; and,

Whereas, during Steve's tenure with the Prince of Peace Athletic Association the reputations of both the boys' and girls' teams have risen to unprecedented levels in their respective leagues; and,

Whereas, during the past eight years Prince of Peace has become the host of the Converse Tournament and the Diocese girls' all-star games as well as the neutral site for the girls' tournament playoff games; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh recognizes Steve Laskovich's contributions to both the Prince of Peace Athletic Association and our City's youth and declares Saturday, April 25, 1998 Steve Laskovich Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I have two. I would like Ray Werner and Dom from Saint Francis Health Systems. This is an annual event for me. Actually it is the highlight of my year and all the events we go to, this is certainly the highlight. Ray and Dom were the founders of the Courtesy to Come Back Campaign. I

have been involved with it since its conception and we have a fantastic committee. I guess we will be pushing close to $2 million we have raised for charities. It is higher? Over three million. It's an honor to have you down here. I will read the proclamation and this Saturday is our annual dinner.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 365 WHEREAS, the Saint Francis Health Foundation gives six Courage to Come Back Awards annually, to raise funds for health care for the underprivileged of Pittsburgh and to give recognition to people who have quietly and courageously recovered from personal adversity; and,

WHEREAS, Rocky Bleier, Honorary Chairman of the Courage to Come Back Awards, and Honorary Co-Chairmen Howard Baldwin, John E. Connelly, Liz Miles, and James C. Roddy will present the 1998 awards at the eleventh annual Courage to Come Back Award dinner; and,

WHEREAS, the following award recipients have overcome overwhelming adversity through addiction, illness or injury, have moved their lives forward despite these challenges, and have demonstrated remarkable courage as examples to their peers in the following categories:

CHEMICAL DEPENDANCY -- KELLY E. PARKER
GENERAL MEDICINE -- MARCY W. LANGER
MENTAL HEALTH -- BARBARA MC MILLIN
PHYSICAL REHABILITATION -- NORRIS M. VACTOR
PITTSBURGH PENGUINS YOUTH AWARD -- NICHOLAS ROBERT SINAGRA
ECONOMIC ADVERSITY -- RICHARD GARLAND

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Saint Francis Health Foundation and the Courage to Come Back Campaign for their vital efforts to improve the lives of the citizens of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate this year's Courage to Come Back Award recipients for their inspiring strength and courage and declare Saturday April 20, 1996, as "Courage to Come Back Day" in the City of Pittsburgh.

MR. COHEN moved to approve.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Ray, you want to come up as Chairman and how many people do we have each year? Each year we have over a 1,000 plus people at the dinner and it's an outstanding dinner. I encourage everybody to support it. I am very proud of it. It actually got me started in my political career. These guys got me involved in so many things and I kept moving on from there. Ray is the founder.

Mr. Werner:

Thank you very much, President O'Connor. We knew Bob before he was famous. This is a great honor for us to receive this recognition and we accept it on behalf of Sister Rosita Wellinger and St. Francis Health Foundation. We want you to know that it's a very special event because it recognizes the little people in the Pittsburgh area who have come back from some remarkable devastating personal injuries and circumstances in their lives.

We also want you to know that we are spreading the spirit that began in Pittsburgh to other cities. In Philadelphia, in Toronto, in Buffalo, in Erie, in Vancouver and into the Northwest of America, we have raised over $6 million throughout the last several years for antigen patients and in each of these cities it is recognized as their finest hour. That's the way Mayor Murphy has commented on this at the last dinner that he has attended that this is a great moment for the City. This is a great moment for us and we thank you for this recognition.

Mr. Broviak:

I want to thank you all for the award and for the presentation for our winners. These proclamations will be given to the Courage to Come Back Winners at the dinner this Saturday. As these people are recognized they also become models of hope and courage for others. Over the past 10 years we have been delighted to have over 50 winners in the different categories that have accepted this honor and have stood before others to become models of hope and courage.

Last year we started a new award, the economic adversity award, which recognizes those that have come from perhaps the greatest social illnesses, poverty and have gone on to become models of hope for others that they too can make it in the American way. So we thank you very much for this proclamation and this declaration.

The Chair:

We have a special, actually a welcoming proclamation to a delegation from Johannesburg South Africa and it is two City Council members would you please come up, Doug. I know they were hosted with Councilman Udin yesterday. Councilman Udin and Councilwoman McDonald would you want to join me in this proclamation? It's sponsored by all Council members. We have Michael Maile, who is an elected member of the metropolitan Council, Peter Makgoba, who is also a member of Council, and we and we have Maria Moreriane and she is with the Johannesburg hospital and a member of the AIDS Center there and also Kitty where are you at, Kitty Hempstone is the Program Consultant. They are touring Pittsburgh.

Where are you going from here? Tomorrow you're going to Philadelphia?

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 366 WHEREAS, the United States - South Africa Leadership Development Program (USSALEP), founded as a charitable and educational institution in the Commonwealth of Pennsylvania in 1958, was created to facilitate communication among all of those individuals and groups who sought to shape a South Africa which recognized human

dignity, equality and the enfranchisement of all of South African citizens; and,

WHEREAS, with the dismantling of apartheid in 1990's, the USSALEP has shifted its role from a facilitator of dialogue to a facilitator of programs which prepares disadvantaged South Africans for leadership positions in a democratic, pluralistic and free market economy. These long-standing working relationships have enabled USSALEP to modify its programming activities to keep pace with the changing needs of South Africa's developmental priorities; and,

WHEREAS, The City of Pittsburgh, which long supported the fight against apartheid, now happily welcomes the delegation from Johannesburg, South Africa, who have come to Pittsburgh to further their knowledge and understanding of governmental social programs that have benefited people here today in order to provide South Africans with a better tomorrow.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does commend the United States - South Africa Leadership Development Program for its many years of work to promote social justice in South Africa and extends its welcome to Michael Maile, Member, Eastern Metropolitan Council, Johannesburg City Council, Peter Makgoba, Member, Eastern Metropolitan Council of the Johannesburg City Council, and Maria Moreriane, Member, Peace Secretariat and medical Social Worker & AIDS Center Johannesburg Hospital; and;

BE IT FURTHER RESOLVED, in recognition of the importance of strengthening the bonds of friendship with the people of South Africa, which is of mutual benefit to the people of this city and the people of South Africa, the Council of the City of Pittsburgh does hereby declare Tuesday, April 28th, 1998, to be "The United States - South Africa Leadership Development Program Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

I want to welcome you. We spent sometime with Mr. Udin yesterday and in my office today. Who wants to come up and tell us a little bit about what you have learned? Actually they have, I guess it's similar to Pittsburgh, they have a smaller Council and then they have County Councilman, I think it is 64 members, 60 members. So we think we have problem.

Mr. Maile:

President of the Council, Mr. O'Connor, counselors, thanks for the opportunity. Let me first start off by saying that we are truly humbled by this honor. We are deeply moved and touched by the honor and we are very thankful once again for the Council for being welcomed in such a warm fashion. I didn't prepare a speech. It is usually safe to have a politician not prepare speeches because you risk sitting here for the whole day if you do that.

But then I just wish to say that we knew we had a friend during our attempt of AIDS struggle. However, we have won the

best, not the war. We in Africa have adjusted a struggle against poverty, homelessness, and joblessness. We have begun fighting a new battle. We managed to triumph over our fight because of our friends, alleys and the support we got from the community. It is only through the same support that we can begin to triumph over this moment of task facing our country today.

So far we have learned several things from the Council. We had a meeting with Councilman Udin yesterday. We discussed the budgetary process at length. Then we have learned a few things but we are also very interested to hear that you basically within local government here have two bases, the Mayor's Office and the Council. We are currently in a professional shape in local government in Johannesburg and one of the options that is being taught at the most favorite is one an Executive Mayor. I think I now understand the implications and I won't say what that is but when I get back home I will give them appropriate advice.

The Chair:

Maria she is a social worker with Johannesburg hospital. You want to come up and tell us what you're working on there maybe.

Ms. Moreriane:

Thank you once again for welcoming us. So far I have only visited one organization per side around the state. I found that with you here you have a lot of resources and organizations that are geared towards fighting the AIDS program. But I found that with us we still are very backward in terms of organizations that are helping. Because I found that our government has not yet seen this as a serious problem. It is only now that things are changing as Mike has said, we still are fighting and trying to reconstruct our society and our communities. Even the government is still stuck having certain things.

So I found that it is hopeful for us knowing that other people already have instructions in place that are helping out the AIDS community. So that gives one hope that in forming links with you one will be able to take something from you people and maybe be able to implement it at home.

So I am hoping with all the information and the knowledge and the experiences that you people have had in terms of fighting the war against AIDS one will be able to do something at home. Thank you very much for welcoming us again.

The Chair:

Peter, I can call you Councilman Makgoba. You want to come up and say a few words.

Mr. Makgoba:

I never thought I would be called to say something because if Mike comes here in front to speak, basically we are from Council, both of us. But I want to say that the first time we came to America we were a bit confused to go to one state, they have their own way of running things. You go to another you find different explanations and so on. But that has been helpful to us because we are able to combine.

We can take something from

Washington, combine it with what we get from Richmond and so on. Basically our discussions have been so exciting. We met a number of people and organizations, and what lead us to be able to attend to our problem of housing in South Africa which is very acute. People still stay in shacks, overcrowded places that are our problems. Here we have learned that organizations and some models have been able to redevelop areas, built new structures entirely and assist the government to provide housing. I think we are happy that we met the right people. Thank you.

Mr. Udin:

I would also like to welcome our visitors from Johannesburg. I really had a very enjoyable time talking with them. I learned a whole lot more from them. You know Johannesburg is a city of five million people with a City Council and a budget of a billion and half-dollars. They are very highly well organized and certainly under the leadership of the national leadership of Nelson Mandella, an African National Congress. They really provide a worldwide example especially through the truth and reconciliation Commission of how to get past history and continue to move forward. So I really do welcome our City Council colleagues from Johannesburg and hope you will come back again.

The Chair:

Now moving to presentation of papers.

MR. COHEN PRESENTED:

No. 367 Resolution authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified telecommunications consultants for professional services, expert advice, and other related services in connection with the development of a comprehensive telecommunications policy for the City of Pittsburgh, in a total aggregate amount not to exceed $100,000.00.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

MR. DIVEN PRESENTED:

No. 368 Resolution providing for a Contract or the use of existing Contracts; or Agreement or Agreements for the purchase of one vehicle and related accessories, for the Bureau of Police, Department of Public Safety and providing for the payment thereof not to exceed $30,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 369 Resolution enacting a new Chapter under Title Four, Article XIII of the Pittsburgh Code, entitled "Pittsburgh Shade Tree Commission, and setting forth its composition, purpose, function and powers, **(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

MS. MCDONALD PRESENTED:

No. 370 Resolution authorizing the Mayor, Director of the Dept. of Parks & Recreation and the Director of Department of Public Works to enter into an Agreement

with the Pittsburgh Parks Conservancy to utilize the latter Organization's funding raising and planning capabilities for the betterment of the City's four regional parks.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Are we going to have a public hearing on this bill?

Ms. McDonald:

We can discuss a Public Hearing tomorrow.

MR. UDIN PRESENTED:

No. 371 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of Counsel and Consultants to assist in the representation of the City of Pittsburgh for outside legal Counsel and Consultants at a cost not to exceed $75,000.00.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Any unfinished business to come in front of Councilman? Hearing none, move to reports of committees.

REPORTS OF COMMITTEES

MR. HERTZBERG PRESENTED:

Bill No. 372:

Report of the Committee on Public Works, Water, and Environmental Services, for April 22, 1998, transmitting a resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 344:

Resolution authorizing the Mayor and the Director of Public Works to enter into an agreement or agreements, or the use of Existing Agreements, for the hiring of a Consultant to develop and administer a public education program in connection with the City's Recycling Program at a cost not to exceed $50,000.00 dollars, chargeable and payable from Trust Fund Index Code 254516, Fund 2870, Org. 430000, Subclass 600, Budget Year 1998, accounts within the Bureau of Environmental Services.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? Bill is now ready for final action. All in favor of the passage of the bill, vote aye when your names are called; all those opposed vote no.

Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill has received the legally required number of votes and is passed finally.

MR. ONORATO PRESENTED:

Bill No. 373:

Report of the Committee on Planning, Zoning, and Land Use for April 22, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 326:

Resolution providing for an Agreement or Agreements with Contractor/Contractors, or use of existing Contracts, and for related Administrative/Implementation costs, for the City's burgeoning riverfront and inland "Trail Development Project", at a cost not to exceed $460,000.00, chargeable to and payable from Department of City Planning, "NPA" Trail Development, 5100-110000-PGHPR-2205904-1998.

Which was read.

Also,

Bill No. 327:

Resolution Providing for an Agreement or Agreements with a Consultant or Consultants for the development/implementation of East Liberty-Penn Circle Rehabilitation (the transportation component with a multi-faceted approach to the revitalization of East Liberty) at a cost not to exceed $150,000.00, chargeable to and payable from: Department of City Planning, "NPA" East Liberty Penn Circle Rehabilitation, 5100-110000-PGHPR-2205901-1998.

Which was read.

Also,

Bill No. 328:

Resolution Authorizing the City of Pittsburgh to submit grant applications to, and execute relevant agreements with, the Pennsylvania Department of Conservation and Natural Resources under the provisions of the Pennsylvania Recreational Trails Program. The grant application will address Trail construction of the Swinburne connection from Downtown/Oakland Riverview trail to Panther Hollow. Maximum grant request would be $20,000 and would be matched by $20,000 from the City Capital Budget line item "Trail Development".

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Onorato:

I just want to, for the record, we talked about this last week and there are two bills relating to trail development. I as one Council member I want to go on record and say that this in no way am I in support of doing the trails precludes this Council or future Council from reevaluating the riverfronts for a higher and better use at some point in conjunction with trails. As we rush to do all the trails along the river, which is a great project, I think we should always keep in the back of our minds that there might be other commercial industrial or other types of use that would need actual waterfront. I just point to other cities that have done great commercial establishments and developments along the waterfront without any barrier in front of the establishment.

They actually go right up to the water and it could be Baltimore's inner harbor, it could be Cincinnati on the Ohio River. As we continue to expand the trails we are really conceding the frontage of the property on the water. I don't want to send a signal that all the frontage of water in the City of Pittsburgh is for trails. Trails are great but you can also have a trail go around the building, go around the development and go back onto the water and that was brought up by several colleagues last week.

I think that we should keep that in mind because it appears that the trails are keeping ahead of any future development as the makeup of our waterfront changes over the next couple of years. But I would love to see some development and especially some commercial development on the water directly on the water without a trail in front of it and I hope we have that ability and that flexibility in the future.

Mr. Cohen:

Thank you. I agree with Councilman Onorato. I brought this up last week and I think it's fine to do trails. I think that certainly promotes riverfront development. But the real river front development is restaurants, stores, housing. The Mayor has been very out front in terms of housing on the riverfronts. I think we can be very proud of that. I have not however seen as much commercial and restaurant type development on the riverfront. I would hope that we would be flexible in that passing this bill today that if a trail is going through a point where we are planning to have real commercial development that we can be flexible and be able to move that trail around it. Because in terms of the highest and best use, there are different parts of the riverfront that have different highest and best uses. There are some portions where trails would not be the highest and best use, quite frankly.

So I hope by approving this today, and making this point part of the record, that we would be flexible in the future.

Mr. Ferlo:

I agree with the previous two comments. I do want to say we do also right now have a number of commercial restaurant tavern type of opportunities. One amenity is the Donzi's riverfront development. I think it's a significant amenity for the riverfront. It is a cultural

and sports and a fun event for a lot of people. Every year I have to intervene and resolve firework problems. I hope it doesn't happen again this year.

We need to support the people that have made a major investment along the riverfront. Specifically Mr. Jayson and his investors and others that have made a significant investment. I think anybody who has been to Donzi's and to the boat dock there, anybody who has seen the riverfront, that was all done by private money. I don't know that anywhere other than the amount of public money that we have spent on the North Shore area can match the amount of private landscape effort that was done adjacent to the Donzi's boat and the barge.

If you have ever seen the walkway there, it's an ornamental railing, beautiful shrubbery. They have spent a lot of money on landscape and design there. I would hope that the administration will resolve this issue of fireworks when we have businesses like that, they want to have as part of their promotion they have Friday night fireworks I believe it begins May 8 and for the last two years we have had to intervene. I hope we don't have this problem again this year.

The Chair:

I believe it's been resolved. I agree with everything you said and I understand it's been resolved.

Mr. Ferlo:

I hope its gets resolved. Because the problem is if people don't feel like they can make the investments, the City government is going to embrace them. You're not going to see the kind of investment that Councilman Onorato and Mr. Cohen rightfully spoke about and I support. Let's get with it.

We should look and try to find places along the trails and rails that, have even if there are vendor carts that can be promoted, we should open it up to small vendors. Maybe some of the bigger projects would be like a Donzi's kind of an experience but if there is a high activity. If there are some small vendor opportunities, we should try to locate where it is appropriate, agree on what the design of the cart should look like. We need to embrace this and do it in a business friendly way. So I am pleased to hear that the President got involved also in the fireworks issue this year.

The Chair:

I believe if I could just say it's called pro-business. I think all of our grand plans we still have to look at how to be pro-business. Whether it be moving the trails or intertwining the trails through a very busy activity, I know we are talking about new hotels, new office buildings, whether it be strip or North Side and I would believe the trails that if done correct would be an asset.

Mr. Hertzberg:

I agree with all the comments of the other Council members on this subject. I would just like to point out the two trails involved here. One is being called the Jail Trail, which I kind of like the name. It's catchy but the Jail Trail and where that goes it is really not a riverfront trail at all. It actually, the majority of it is between the two lanes of the Parkway East and actually

on the riverfront in that area on the Mon River. You have mainly the Pittsburgh Technology Center and a couple other commercial buildings.

So we are using the riverfronts for commercial uses at that part and the other trail is the Chateau Street Trail, which is the Northern Shore of the Ohio River and right now you have got a mixture of uses in that area, a lot of commercial and industrial. But not right on the riverfront. You have a lot of variety of different boating facilities. I think it is all compatible with the trail. It is compatible with some retail. If private business wants to bring it in there. So I think the immediate plans should work and be consistent with everyone's comments.

Mr. Ferlo:

Hopefully it is not a scale jail trail.

The Chair:

Any other comments on that? The bills are now ready for final action. All in favor of the passage of the bills; will vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 374:

Report of the Committee on Housing, Economic Development and Promotion for April 22, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 329:

Resolution providing for an Agreement or Agreements and to provide administrative/operating expenses including, but not limited to, advertisements, supplies, equipment rental, and other miscellaneous expenses associated with the administration of the HOPWA, at a cost not to exceed $463,000.00.

Which was read.

Also,

Bill No. 330:

Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Housing Partnership L.P. IV for the Sale of the following properties in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27, Council District No. 6

(Residential Rehabilitation and Rearyard) (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

1327 Columbus Avenue
B/L 22-K-29
$1,000.00+Costs

1325 Columbus Avenue
B/L 22-K-30
$1,000.00+Costs

1323 Columbus Avenue
B/L 22-K-31
$1,000.00+Costs

Which was read.

Also,

Bill No. 331:

Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Business and Industrial Development Corporation, Inc., or an entity to be formed, for the sale of Lot 1 and Parcel 1A(Block 22J Part of Lot 151) in the Twenty-first Ward of the City of Pittsburgh in Redevelopment Area No. 11, Beaver Avenue at Metropolitan and Franklin Streets, Council District No. 6 (construction of office building). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bills?

Mr. Ricciardi:

Mr. President and colleagues, Bill Number 329 which is funding targeted towards providing housing and housing related services to HIV AIDE patients and their families. This is a classic example of members asking for information, not receiving the requested information, but instead just receiving a very short memorandum that does not even deal with the bill itself. I wanted to know where the money was going, which non-profit agencies were receiving the funding, and how we thought that the money was being used an hopefully effectively. We have not received that information. I would like to make a motion to recommit.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

If we could ask, Mr. Ricciardi did ask specifically for the information. But if we could ask for the agencies that were funded previously for the last several years in the memo from Director Hirsch it seems as though only one agency. It looks like it is not even from the city, even asked for or received funding in 1997, which I am very perplexed about. It seems as though that now there is more of an effort to give more people to respond.

I don't understand what went awry for the last few years with this program. I look forward to receiving the information that Mr. Ricciardi has requested.

The Chair:

At the table, remember they mentioned there were six organizations when Mr. Ricciardi asked for that

information.

Mr. Ferlo:

Her memo says and I quote, last year the only Presbyterians Senior Care Management Parent Organization for the Verona House. Then it says from the City of Pittsburgh applied for hospital funds there were a number of agencies including like Shepherd Wellness Community in Hazelwood that had received funding in the past.

So I would like as Mr. Ricciardi rightfully suggest, we really need to better understand who all has gotten funds in the past and why other agencies aren't requesting funds for this important grant program.

The Chair:

We requested and you didn't get the list?

Mr. Ricciardi:

We have the memorandum before us although, Mr. President, it doesn't list it. So I thought we really should recommit this bill.

The Chair:

The bills are now ready for final action. All in favor of the passage of the bills vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. DIVEN PRESENTED:

Bill No. 375:

Report of the Committee on Public Safety Services for April 22, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 239:

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a vehicle and related accessories, for the Emergency Operations Center and providing for the payment thereof. Cost not to exceed $25,000.00.

Which was read.

Also,

Bill No. 314:

Resolution providing for a Contract or Contracts; or the use of existing Contract

or Contracts; or Agreement or Agreements for the purchase of office furniture, fixtures, equipment and related accessories, and providing for the payment thereof, total cost not to exceed Sixty Thousand Dollars ($60,000.00) chargeable to and payable from the Local Law Enforcement Block Grant Trust Fund, Fund 2445, Org. No. 230000, Subclass 600, Account 540000, Budget Year 1998, Department of Public Safety.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Hearing none, bills are now ready for final action. All in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes are passed finally.

MR. FERLO PRESENTED:

Bill No. 376:

Report of the Committee on Engineering and Construction for April 22, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 315:

Resolution Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Design Services in connection with the Rehabilitation of the South Millvale Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof., not to exceed $500,000.00 chargeable to and payable from the following:

Account 600000
Fund 5100
Org 301000
Sub-Class PGHPR
Pro/Grant 2239104
Budget Year 1998
Amount $107,500

Account 600000
Fund 5100
Org 301000
Sub-Class PGHPR
Pro/Grant 2239104
Budget Year 1998
Amount 392,500

Total $500,00

Which was read.

Also,

Bill No. 316:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Design and Construction of the Grandview Photography Park in Mt. Washington; and providing for the payment of the cost thereof, cost not to exceed $27,000.00 chargeable to and payable from the following: Account 600000, Fund 5100, Org. 301000, Project Grant 2239100, Budget Year 1998.

Which was read.

Also,

Bill No. 317:

Resolution providing for a Cooperation Agreement with the Port of Pittsburgh Commission for the city's share of costs for the Design and Construction of the Allegheny River North Shore Passenger Pier; and providing for the payment of the costs thereof, not to exceed $100,000.00 chargeable to and payable from Account 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2239102, Budget Year 1998.

Which was read.

Also,

Bill No. 318:

Resolution Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with Miscellaneous Repairs to Streets and Structures and for the purchase of materials and supplies for such repairs; and providing for the payment of the costs thereof, not to exceed $50,000.00 chargeable to and payable from Account 600000, Fund 2610, Org 301000, Sub-Class C1997, Project/Grant 2231024, Budget Year 1997.

Which was read.

Also,

Bill No. 319:

Resolution Providing for a Contract or Contracts, or use of existing Contracts for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof, not to exceed $40,000.00 chargeable to and payable from the following:

ACCOUNT 600000
FUND 5100
ORG 301000
SUB-CLASS PGHPR
PROJECT/GRANT 2245920
BUDGET YEAR 1998

Bill No. 341:

Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of Handicapped Ramps in various communities throughout the City of Pittsburgh, at a cost not to exceed $89,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Hertzberg:

On Bill Number 316 regarding the Grandview Avenue Photography Park in Mount Washington, I would like to have my comments brought forward. Also I would note the communication from Director Reginella in which he notes that the $27,000 figure we all thought was low, is low because it only provides for design services for 1998 and funding for the actual project will be in 1999.

(See Addendum for Comments)

Mr. Onorato:

I am going to reluctantly vote yes on Bill 319 for the smoke and Mayor's tree program that we created in the City. The only reason I am doing that is because $40,000 allocated there and we were all a wreck yesterday. Director Reginella said it's going to go to small commercial district development even though the bill doesn't say that. I thought we were going to get a list today, which we don't have.

But I am not going to ask to recommit. I would ask the Clerk to ask the Director -- I do want to thank the Director because he sent a very detailed memo on the other bills to provide Council with a list of locations of where we plan on putting trees in 1998 with this particular $40,000. Then during the budget process again this year, I think, we will revisit the issue to see if we really do have a tree program.

Mr. Ferlo:

I am a big defender of the trees. In fact, today I have submitted an ordinance formally creating a Shade Tree Commission. We have a group that the Mayor convened a few years ago to his credit. I would like to formally create by way of a code of ordinances a formal and substantial Shade Tree Commission in the City of Pittsburgh, something that really hasn't been done since the turn of the century. In fact, it is because of that turn of the century, City beautiful movement around this City. I don't mean Oakland but through our park system that we even have the kind of tree infrastructure that we have to the credit of the City and people that were very thoughtful many decades ago.

I think Councilman Onorato's point is well taken. Other colleagues consistently have raised this issue and part of this issue I hope will be addressed through the work of this Shade Tree Commission. One of the first things I would like to see them do is the complete inventory of the City's tree infrastructure. Part of the reasoning for that, I believe strongly that we can make the argument that basically substantial trees are publicly owned and part of the public infrastructure of the City of Pittsburgh as much as park benches or cultural amenity or bridge or road and things of this sort. I think we should seriously look at a major funding commitment capital dollars.

I think the problem we always have is that we are only looking at the operating dollars. The forestry division despite their leadership and good work is always shortchanged. So we make these inappropriate commitments. As Councilman Onorato rightfully points out, this illusion of having tree planting for single family residential homes. The Shade Tree Commission, I think, individual

residents themselves many of whom would like to contribute financially for tree planting so the work of this commission is very important. This Commission will be required to issue a formal annual report.

More importantly, I would like them to make a make a formal recommendation and appear before Councilman Udin and the annual budget proceedings so we can talk about what their own private dollar initiative fund raising efforts are. Also what they need from City government to really resolve this issue of trees. When I say resolve, meaning make a substantial commitment one way or the other. This kind of fledgling effort that we have hit and miss, no pun intended, is not what we need to be doing.

I think there is tremendous foundation philanthropic, private sector corporate and residential support for the tree stock that we have in the City of Pittsburgh. A lot more can be done and I am hoping by formalizing the formation of a Shade Tree Commission including all the current members that we have and I certainly want to thank the leadership it finally paid off and all the other volunteers that spent a lot of time working on the committee that the Mayor formed to date. But I would like to kind of crystallize it in a more substantial way. Also, I think it can begin to give some leadership and focus to the rightful criticism by Councilman Onorato and others, do we actually have a tree planting program in the City of Pittsburgh? Do we actually put resources out to maintain the health and the care of our tree stock inventory in the City of Pittsburgh? But, I think, a number of things need to be resolved.

I hope that the work of this Commission and I would ask that Council look at the ordinances. There is no pride of authorship, if you have ideas on how to embellish this. But we have introduced it today; it will come up and go to the administration for a thirty-day comment period. I would like to have a Public Hearing on the issue.

But I would like to ask that in conjunction with that ordinance that I submitted today that we ask for a legal opinion from the Solicitor. Because I believe based on my understanding of the capital dollar expenditures that we can consider the tree inventory in the City of Pittsburgh capital infrastructure as much as everything else that we spend with capital dollars.

Mr. Cohen:

I very much look forward to reading Councilman Ferlo's bill. From what he has said I expect to support it strongly. I hope that it addresses a couple of issues. One is the issue just raised by Councilman Onorato about the sham that we have in this City telling citizens that we have a tree-planting program and in fact we do not. The waiting list is over two years long and it is pathetic that we mislead our citizens in that way.

Secondly, though I do think that this Commission or Public Works if the Commission does not come to fruition, that we address the issue of utilities decimating the trees in many of our residential neighborhoods. That's an issue that comes up this time of year all the time when utility companies come in and they don't trim trees they come in and decimate trees. What it does is it really harms some of the tree-lined streets that we have in our residential

neighborhoods. So one thing I will be pushing for is to give this Commission or the Public Works Department, whichever Council and the Mayor feels appropriate, the enforcement power to have the utilities come to the City, seek a permit, tell us what their plans are and make sure they don't go out there and decimate trees. It's a serious issue and I hope this would be added to that process.

Mr. Ferlo:

I think the point is very well taken. In fact, I know even myself in my own Council District, right now in Highland Park two subcontractors for Duquesne Light are working and the point is well taken. Some of the trees they are actually butchering and not cutting appropriately. There is an appropriate way to trim tress along power lines and there is an inappropriate way. This Commission would include a representative of the electrical utility company there seem to be some limitations under PA Utility Commission Law on what our abilities are. But I hope either through advocacy, participation, planning or if need be code of ordinances that we can resolve this.

I know in Councilman Onorato's District in the last few weeks much of the chagrin was brought to my attention by Mr. Antonio Hall. I know Councilman Onorato has also been involved in that the utility company, I believe, is actually out clearing cutting some trees in and along the Riverview Park Corridor, which was completely inappropriate. The work ceased but Councilman Cohen's point is very well taken and that would be one of the planning and advocacy functions of this Shade Tree Commission. Thank you.

The Chair:

Again, I look forward to your legislation because I believe the Shade Tree is in place and to the administration's credit they started it. But I think it's going to need our leadership especially lead by you and Ellie Padolf. It is very exciting and very committed. I just believe they need our support. I certainly commend you on that.

Mr. Onorato:

Just on a final note so that Councilman Ferlo doesn't misunderstand anything I said, on behalf of the residents of the North Side. We love trees also. I just want to make sure with this Commission that it is well represented Citywide. I have one of the four regional parks that sits in the North Side. The issue that I bring up though, I think, is the frustration of most of the residents in the City, is that we really don't have a policy and even to the point of the utility companies. Well, Duquesne Light has gone over board on certain streets on the North Side and Riverview Park. I can tell you there are a lot of other people who called my office that were so excited because they actually thought that the City had a Forestry Department again. I had to tell them no, it was Duquesne Light.

We have trees that haven't been trimmed for 40 years. It actually was a pleasant surprise when certain thoroughfares who have been cleaned up and they did a very good job. But it is a balancing act. I can honestly say on certain streets on the North Side, Duquesne Light was the best thing that ever happened to those streets, that we actually had them pruned back. But once again, I think that we have to control the outside contractors. They just can't go into the city parks and

cut trees to the point where they are just taking them down for no reason.

The Chair:

On Duquesne Light they also have expressed desire to invest money in re-transplanting trees all over the City. So, I believe they will be an asset to the Commission.

The bills are now ready for final action, all in favor of the passage of the bills will vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MOTIONS AND RESOLUTIONS

On motions and resolutions the chair presents actually we have ten appointments, three appointments and seven re-appointments.

THE CHAIR PRESENTED:

No. 377 Resolution authorizing the Appointment of Mark Schneider, 7522 Graymore Road, Pittsburgh, PA 15221, as a Member of the Public Auditorium Authority, term to expire April 30, 2003. (Note: Mr. Schneider will replace Cathy Broucek.)

No. 378 Resolution authorizing the Re-Appointment of the Honorable Valerie McDonald, as a member of the Public Parking Authority, term to expire April 30, 2003.

No. 379 Resolution authorizing the Re-Appointment of Anthony Ross, 1235 Bennington Street, Pittsburgh, PA 15217, as a Member of the Public Parking Authority, term to expire April 30, 2003.

No. 380 Resolution authorizing the Re-Appointment of Jess W. Fife, 1006 North Sheridan Avenue, Pittsburgh, PA 15206, as a Member of the Zoning Board of Adjustment, term to expire April 30, 2001.

No. 381 Resolution authorizing the Re-Appointment of Clifford Levine, 6214 Wellesley Avenue, Pittsburgh, PA 15206, as a member of the Zoning Board of Adjustment, term to expire April 30, 2001.

No. 382 Resolution authorizing the Re-Appointment of Regis Murrin, 305 Juniata Ct., Pittsburgh, PA 15208, as a member of the Zoning Board of Adjustment, term to expire April 30, 2001.

No. 383 Resolution authorizing the Re-Appointment of Alma Fox, as a member of the Human Relations Commission, term to expire April 1, 2002.

No. 384 Resolution authorizing the Re-Appointment of Elizabeth Pittinger,

1101 Virginia Avenue, Pittsburgh, PA 15211, as a Member of the Human Relations Commission, term to expire April 1, 2002.

No. 385 Resolution authorizing the Re-Appointment of Dr. George Board, 975 Wellesley Road, Pittsburgh, PA 15206, as a Member of the Human Relations Commission, term to expire April 1, 2002.

No. 386 Resolution authorizing the Re-Appointment of B. J. Simpson, P.O. Box 3254, Pittsburgh, PA 15230, as a Member of the Human Relations Commission, term to expire April 1, 2002.

The Chair:

The first three have to be recorded and filed, the other seven are all re-appointments.

MR. FERLO moved to receive and file the first three and moved to accept the re-appointments.

MR. HERTZBERG seconded the motion.

Mr. Onorato:

With all do respect to Mr. Ferlo, I will support the first half but all re-appointments I want in front of Council. I am not pleased with three or four of the individuals that were named. I want the opportunity to discuss them. While I recognize the independents of these particular authorities or boards they sit on they have to recognize my independence as the confirmation proceedings and the will of this City. I represent 48,000 people. I am not happy with some of the decisions that came out of these particular boards against the will of the people and detriment of my neighborhoods.

I want them in front of us because they have to answer to us now. This is not an automatic rubberstamp of the Mayor and if they are going to continue to ignore the will of the people someone has to answer to it.

MR. FERLO moved to receive and file on the first three and interview the latter.

MR. HERTZBERG seconded the received and filed motion.

Which motion prevailed.

The Chair:

The other seven we will request that they come in front of Council for confirmation. We will make those appointments.

Mr. Ferlo:

Not including our colleagues who we agree should be re-appointed?

Mr. Onorato:

I have no problem re-appointing colleagues.

The Chair:

There is a cable cast Post Agenda this afternoon at two o'clock. I will just finish these two announcements. Councilwoman McDonald at 2:00 will be televised and on Monday a very important County Home Rule Charter Public Hearing will be at ten o'clock Monday morning, May 4th 10:00, it will be televised also.

Mr. Ferlo:

Mr. President and to my colleagues, their seems to be a number of individual employees, some of whom have significant tenure in City Hall specifically in the administrative budget office, Office of Management and the Budget that have either departed in the past or are leaving the budget office. I might be wrong on this, but I am usually not when it comes to understanding what is going on in City Hall.

I don't know why there has been a rash of people exiting the department, but I really question now the ability of the City Administration to actually keep a stewardship of the city's operating budget and finances. If it wasn't for the leadership of our own staff, and Councilman Udin is the Finance Chair, and everybody else on this Council, I would be even more concerned. But there have been a significant number of tenured employees that now have left the office of management and the budget.

I did not get an opportunity to vote and I expressed my displeasure at the Mayor for making a joint staff person out of Director Hennigan being both a Budget Officer and the Finance Director of this City. I am amazed at how the administration spends $100,000 for a Parks Director that we don't even have but yet they take two important positions that should be fully funded and that is a Budget Director, an OMB person, and the need for a Finance Director. They merge that responsibility with dual responsibilities. I don't even know if there is much of a staff that is left.

I am sure that whoever is left is hard working and will do their best as they have done consistently, but I think this Council should be concerned. I think there should be a Budget Director in City Government separate and distinct from Director Hennigan continuing in his role as the Finance Director. There are substantially different work activities and scope of activities on a daily basis. It is like if we don't get the right information, they are already late for a number reasons in not supplying information. I am telling the Mayor right now. I am not voting for any damn garbage tax, I can tell you that right now. I want to make that clear. I hope Council will not back down on that. So get any notion out of your head that you are going to disable the OMB Office in your own administration as a way of getting over on Council and saying hey, we don't even know where the money is, we are in bad shape. We have to have a garbage tax.

I am not voting for garbage tax, I want to make that clear. I will vote for other considerations. I will cut if I need to cut, but I am not voting to institute a garbage tax and starting garbage anarchy in the City of Pittsburgh. That is why I think we will have.

So, I think it is an important issue here. I would ask the Mayor, I know he is very busy, I know he is going to Japan, I know he is working on Plan B, I know he has fifty other agenda items, but one of the most important is the City's finances. We can only be as good as the cooperation that the administration has with us. We are not getting the correct information. We need a full-time Budget Director. It is not the current finance director. We need a person there and I don't understand what they are doing. I just hope it gets resolved before the year end budget.

The Chair:

Any other points? I think Mr. Ferlo brings up a very good point besides editorializing, I think, you are absolutely right. I will ask the Finance Chair along with Kurt to have a report for us. I know he has been meeting, and to his credit spending a lot of time, but we have heard about the turnover and staffing problems. I would like a report on that. I think it is one of the major jobs of Council is to legislate and appropriate funding. If we don't have that report, our hands are tied.

I know Councilman Udin has been working diligently. I know he has, almost, every Friday afternoon meetings. I think we look forward and need a report of where that is and where it is going to be. If we can't have the figures, we can't do our jobs.

Mr. Ferlo:

I just don't want anybody to think that we are going to get the bums rush here and say that we have to pass the garbage tax. They are trying to get over not giving us the financial information that we have because everyone has left the office.

The Chair:

I believe that's loud and clear. I think you will have a lot of support on that.

Mr. Cohen:

Mr. President, I don't have any problem with getting a report on the status of the Budget Department but I do not see the direct connection between that and any policy decision by this Council with respect to the City's finances. We did have an agreement at the end of our budget process last December. The agreement had specific hurdles if you will. I am looking towards Councilman Udin, the Finance Chair, who has followed that very closely. I think we need to abide by that agreement and those timetables. So, although I have no problem with getting a report on what the current status is of the Budget Office and its staff, the policy decisions regarding the finances of the City, I think are separate and ought to be treated separately.

Mr. Ferlo:

I don't agree with Mr. Cohen in all do respect. The budget, in all do respect to Councilman Udin that works hard and Kurt Salac in our own Budget Office, we don't spend the money in City government, we spend a small portion of it. To the credit of our Clerk's Office, we know what we spend and we can tell on any given day. We know what we have expended in every code account of City Council.

As far as I am concerned whatever that agreement was, and that was with the Finance OMB Director Miller who checked out of dodge, that deal is off as far as I am concerned. That was made with somebody when we had a Budget Director. We don't have a Budget Director. Secondly, we are getting the bums rush here as precursor to them having to accept the garbage tax. That is basically what the Mayor was positioning himself with his rhetoric with the media.

It is like well if you don't agree to accept revenue increases with a garbage tax, I am going to start laying off people. So that was the checkmate we had a few months ago if everybody remembers. Now I think the rules of the game have changed. If we can, it has been several months now,

we still don't have the appropriate budget information that, I think, we were supposed to have in order to continue looking at this so called memorandum of agreement that we have with the administration. As far as I am concerned, that agreement is not worth the paper it is written on any more.

The Chair:

Probably the most important part of that agreement was on a monthly basis and a quarterly basis, we would review all costs and expenditures and revenues. That hasn't been done yet.

Mr. Onorato:

On that point not reviewing the finances every month, I just want to remind my colleagues, we got a $15 million program here called People Soft.

The Chair:

That maybe the problem -- that's our whole problem, I believe.

Mr. Ricciardi:

I would like to just say this, I am looking at my friend John Mascio. I had stated years ago that I thought we should pave the roads, resurface the roads and fix potholes and not spend the $15 million on computers. It looks as though that's really coming true now. We should have done that. The computer system doesn't work.

The Chair:

We may have an option on our computers.

Mr. Ferlo:

I don't usually make the sports column, but my good friend Bruce Keidan wrote an article about me. I have to admit though after reading this article, I am not sure what he said. I am not sure if he agrees with me or didn't agree with me. But anyway, let me try to recap. I am making a very simple proposal to the Rad Board tonight. If we are going to move ahead and any notion that building this stadium represents Renaissance Three, I just don't agree with it. It is a construction program. I would hope the next Renaissance Three talks about the human factor of what we are doing with our residents and the quality of life and the livability in our schools and our neighborhoods and a lot of other things.

So I don't see this construction plan of the Convention Center and the stadium as being Renaissance Three. But having set that aside, if all of the funding that comes from the Rad Board right now, if anybody wants to and they have the money to have the ability to go buy a ticket to the opera or the symphony, they can go to the library. They can go to the Science Center, they can go to 50 other amenities cultural or otherwise that the Rad Board currently funds.

My proposal is one that is very simple. I am simply stating and proposing two things. One, that a 66,000 spectator football only stadium is not enough to meet the market demand and it should be bigger than what the proposed 59,000 plus is. Their proposal was 66,000; I think it needs to be more like 74,000. Secondly, I am only saying, and I am not suggesting any specific numbers I had proposed a 10% or 10,000 seats. The basic principle is that more fans who are paying the tax and creating the Rad wealth deserve an

opportunity and a shot at seeing a football game.

It is a very simple democratic principle. I will try to express that in the most articulate fashion I can this evening at the Rad Board Hearing. If they don't do that, I think there is a substantial legal issue about how the Rad can support something if the general public does not have the ability to partake and benefit directly.

Now there have been comments about a number of people on a waiting list. I didn't even know there was a waiting list until the last few days when some newspaper articles -- I don't know that the general public even knew that there was a waiting list to be on for Steelers tickets. I am not saying wait until the game day to sell the tickets. I am not saying in anyway jeopardize the televising of the NFL requirements for a sold out game. I am saying let's do the proper market analysis to determine how we can provide an opportunity.

I cannot believe that somewhere out in Center County, or Crawford County or Erie County there isn't a tavern or a small business or a fund raising group or an Elk's Club that wouldn't love an opportunity to have 40 tickets so they can charter a bus and come down here. There should be some marketing and some creativity given to the football only stadium issue and how we are going to market and what is the appropriate size and the principle that more people deserve an opportunity to buy a ticket. I think it's a very fair request to make to the Rad Board. If they don't do that, then I am going to be up front right now. I am going to explore whatever legal options we have because the Rad Board is going to fund that amenity. We should have an opportunity, more people should have an opportunity to see a football game. It's a very simple democratic principle.

Mr. Cohen:

Believe it or not I believe with Councilman Ferlo and this is a point he raised last week in our briefing with the Mayor. I think it is an excellent point. It is public money for a public stadium which contrary to Allegheny Institute, I whole-heartedly support. But I think if there are ramifications to that and one of them is that the public should be allowed to have an opportunity to see the football games -- I just thought it was an excellent suggestion, separate from the litigation point that he made at the end there. I don't think that litigation will be necessary here. I think it's a good policy point. I also think it will generate even more support for Plan B. I think it will generate excitement. I support it and I hope it goes through.

Mr. Onorato:

I agree with Councilman Ferlo in part. I agree the part that the public should have access. I think the way to do that and I have heard it from several members, I heard it from Councilman O'Connor, I heard it from people from the Forest Field Two Task Force, I have heard it for the last year, and that is whatever the number is set aside like 5,000, 10,000 seats that are sold for each game and that you can try to get the seats for each particular game. Where I disagree with Councilman Ferlo is that this Council is trying to dictate what size the stadium should be. Where the function of a size of a stadium if you talk to any of the sports analysts, who look at stadiums, there is a benefit to having a waiting list a certain degree. That is why the Pirates want to

build a smaller stadium. That is why Cleveland went to a smaller stadium for baseball. You want to make it an attractive item that the ticket is worth something to get it in advance. I think you can achieve Councilman Ferlo's goal regardless of what the size of the stadium is. That is, having access to an event at the particular football stadium, and regardless of the size. If it is 66 or if it is 70, if a certain amount of seats are set-aside for each particular game then the public has a chance to get in. But other than that, I don't want to build something that in the long run ends up hurting the franchise or doesn't work. One thing they found out in Cleveland that the 80,000 plus stadium of the old stadium just killed the sport because there were too many seats. So, the issue in front of us and the real issue that Councilman Ferlo is discussing is access to the public whose money is being used to build this. Other than that though, I think we better be very careful on crossing that line and trying to run businesses for individuals.

Mr. Ferlo:

I am only making the points I didn't suggest 80,000, although as Councilman Diven pointed out it is amazing consistently and I think Councilman Onorato being an alumni of Penn State and the kind of operation they have there and I believe -- what is their seating?

Mr. Onorato:

That's fine intervention there but they get --

Mr. Ferlo:

I think it is 90 or 100,000 seats at Penn State. I am not saying break that line. There is no way I would support anything that in anyway would jeopardize the televising of NFL games; that's not the point. The point is to do proper market research. Now if the market research is only driven by the profit motif of the Rooney's and the Steelers, that is not cutting it for me. I am talking about what rightfully should be principles and guiding principles established by the Rad Board as they meet tonight and in the future to decide whether or not $13.4 million should go into funding the stadium. I think they, being the public body and the disproportionate amount of public dollars that is going into the construction activity, all of which I support, I think it is time to close the book on this debate and move ahead and get all three projects done, completed, bring them on line.

Let the cost overruns be paid for by the football private interest and the baseball private interest. But somewhere there needs to be due diligence on the part of the Rad Board before they decide to execute their proposal for $13.4 million. I am suggesting somewhere more like 74,000 seats, but I would ask that due diligence in those principles be established by the Rad Board. It is the people out there that are paying for this money. They are generating the income that the Rad Board is even spending and yet they don't have the ability to partake in the cultural sport event.

The Chair:

Well in my six or seven years having the privilege of working with you Councilman Ferlo I think this is probably the best idea you have come up with. I have heard --

Mr. Ferlo:

One of many hundreds.

The Chair:

I put this at the top of the list because to be honest with you everywhere I went this weekend the dog issue is finally behind us. A couple of days and everyone I have talked with agrees with you. I think if I can add two things to it. I think it is very important right now you seem to be concentrating on football, but also baseball. If you build a 38,000 seat baseball stadium field, I guarantee it's going to be sold out and 90% of them may be season ticket holders. In Cleveland I believe it is the first baseball season that was sold out for the whole year almost four millions fans. I don't know for sure if they let a few go on general admission sales or not but I would support you 100%. I would include baseball and football whatever that number is. It maybe like you said 10% that would be 6,000 and 4,000 to be available on a game basis how they work it out. I don't know that you have to increase the stadium too much more whether you do or don't, I think the point is well taken. I believe most of the sports writers and the people I have read are supporting you that these are --

Mr. Ferlo:

Eight football home games and 88 home Pirate games.

The Chair:

Cleveland though has sold out their baseball games. I believe baseball is a lot -- I believe it will be similar to the Penguins. People maybe if they don't want or can't go to 88 games and they can't go to 60 hockey games, they will be splitting up their season tickets. Two - three people will be buying season tickets to ensure not only good seats, but to ensure seats. Cleveland has sold out. I believe Colorado is almost sold out.

If they aren't sold out of baseball, baseball is coming back believe me. I know what is going on sports. I follow sports very closely. I believe this new stadium for at least the first five years you won't get a ticket whether they win or lose. So I would suggest that you look at your same proposition for football to be in baseball, so that the average fan can buy it whether it is a mail system. Again, we have to have protections that it isn't for scalpers, that a scalper can go down and buy 200 tickets, mail order to the home, two, four per game. All those issues have to be worked out. But I believe Council if you are going tonight, I believe, you will have the support.

I don't know if you want to take a vote on it that we would support your initiative that X amount of seats have to be available for the average fan. I have one season ticket, I have had it 25 years. It started out at $3 a ticket; it was $35, $40. I tried to buy tickets for one of my kids to go with me. So even having one season ticket isn't always enough. I believe it is a very important what you said. I would strongly urge the baseball and football people to make sure that they agree and work out the details.

Mr. Ferlo:

If there is no objection, I will take your advice and make the motion paraphrasing what I said earlier about the football stadium, recognizing Councilman Onorato's point. I am not talking about 100,000 I am talking about the market

study and finding what that fine number needs to be.

MR. COHEN seconded the motion.

The Chair:

Could I include baseball please in that too?

Mr. Ferlo:

Maybe I am wrong but my sense was even with baseball in the stadium that at least in terms of the process you have the ability to actually purchase Pirate tickets. I was not aware that under the new arrangement that would necessarily change.

The Chair:

My point is what if everyone goes out and buys a season ticket --

Mr. Ferlo:

Why don't we say that there needs to be a better market study done to look at what the appropriate size should be possibly greater than the present suggestion on the baseball and that the principle be that some portions of those tickets.

The Chair:

I am not saying that. The key to baseball is a small 38 - 40,000 seats.

Mr. Ferlo:

And you are saying of that number.

The Chair:

But of that number whether it be 10% or 20% should always be available to the general public and not the season ticket holders.

Mr. Ferlo:

I misunderstood you and I whole-heartedly support that.

The Chair:

I am agreeing with you on the football, I am just saying include the baseball in on that too.

Mr. Ferlo:

I think the principle Rad funding applies to baseball and football.

The Chair:

We are going to take a motion but let's discuss it further.

Mr. Diven:

I would just like to say that I believe that what we are talking about in reference to the Steelers is absolutely 1,000% correct. I know there are a lot of people that I know that won't even go down to the stadium because the convention wisdom is that the seats are all taken up and the place is sold out every game. Now if people had the perception that they could go down and perhaps purchase a ticket at the gate before the game or in a fashion like that, you're going to get a lot more people to the game. I think conceivably you could have 80 or 90,000 people coming to Three Rivers or whatever the new stadium's name will be.

I believe not only will it add to people going to attend the game, but I think

it will add to people coming into town and coming down and participating in the tailgates or using the shops or the stores around the stadium. Just on the fact that people will take a chance if they believe that there is at least an opportunity for them to get a ticket.

The Chair:

There should be a process where someone, who wants to take their date, or their wife, their kid can either do it by mail or however.

Mr. Diven:

Right now there is no incentive for people to go to the game because they already know they are not going to be able to get a ticket unless they spend $100 for a scalper or you know somebody and you sneak in the side door.

The Chair:

Even the scalper, I tell people -- but I hate to go down to a game, take your kid and not even to be able to buy. How do you take your kid home and say we were prepared for the game and we couldn't get a ticket and had to go back home. So it is very hard.

Mr. Onorato:

I just want a point of clarification when Councilman Hertzberg is finished.

Mr. Hertzberg:

I am in full support of Councilman's Ferlo proposal. I just remember as a kid growing up and loving football and wanting to watch Steeler games and wanting to be there for them. I really couldn't do that. As I got a little older and I got a little more adventurous and the only way I got in was buying tickets from a scalper. It wasn't a great deal you would end up standing where ever you could find a place and for only as long as the ushers weren't walking around and moving you on to somewhere else. It is not a good situation.

The stadium is completely sold to season ticket holders. I was fortunate to five years ago to know somebody that had to get rid of some season tickets and was able to get them. Otherwise you know I wouldn't be able to go that stadium. I truly enjoy the opportunity to be there watching the games. I share Councilman Ferlo's position 100% that the general public should have some opportunity to purchase tickets in an organized regular manner rather than what is going on now.

Mr. Onorato:

Just so we clarify the motion, I do want to point out probably because I am on the Stadium Authority, and I have seen them and my colleagues haven't over the last couple years. There are studies that have been prepared that actually deal with the size of stadiums and comparing waiting lists per city and how small of a waiting list where it drops to a point where it becomes critical, that it's really not a waiting list. They can share that with you and

I think it is legit and I am in full support of looking at those plans and those studies that were done by outside sources. But the resolution that I am willing to support and I want to make sure I am clear on my position is that I do support a vote asking Rad when they consider giving money that Pirates or the Steelers commit

to allocating an X amount of seats per game. I don't want to get into saying we're disputing over how big the stadium should be because I don't know what the number is yet either. But I am committing to the concept of keeping tickets available. We don't know what that number is either, but a block of them for every single game. If that is what the resolution is, I will vote for it. I agree with that principle.

The Chair:

I think Mr. Ferlo even with --

Mr. Ferlo:

With football it has to be a little bit bigger than 66,000.

Mr. Onorato:

I know that, I don't know how you can say that. We don't know. I saw reports that showed the waiting list is not as big as you think it is. They don't want that waiting list to disappear. You don't want a --

Mr. Diven:

You don't want to wait until it is sold out --

Mr. Onorato:

There are sports analysts whose reports they can share with you to show there is a critical definition of what a waiting list should be. You don't want to hurt the business. Be careful what you are asking for here.

The Chair:

If I could make a recommendation, without going into saying 70 - 80,000 or 66, whatever that number is saying, there has to be a number that would be available to all outside season tickets holders. Whether you want to say 5,000 - 10,000, 10%, some number that they would recommend to us before final vote. They may be able to do it in the contents of the 66,000. Right now it holds 62,000, I am sure there are at least two, or 3,000 that they have for visiting teams and friends. Maybe there is a number that they can live with. It's 60 and 6,000 go on sale every game. It is a suggestion. I would put the ball back in their court to come back with a recommendation for you and us that is something we can live with.

Mr. Ferlo:

I will take whatever I can get from the body. I am still going to make my own point but I will express the wishes of the body. I have no objection to that.

The Chair:

It is clear to us, I think, everybody including Mr. Keidan is supporting your initiative.

Mr. Ferlo:

I want to make the point of Mr. Diven rightfully states, even under the proposal right now, I will not have the privilege of buying a Steelers ticket, if it goes through the way it is. I think there are a lot of people like me out there that want an opportunity to buy a ticket. The only objection I have about waiting to game day, I think, it has to be done in advance. You can't-- but it can be done two weeks or a week out I think we can determine ahead of

time the sales.

The Chair:

Let's not work out all the details right here. That can be done on a yearly basis. You are only allowed one per game; you mail order whatever it may be for a couple of tickets. I think your point and we don't have to micromanage the stadiums and the Pirates. But I think the message is clear. You want X amount of tickets available for the average fan who is not a season ticket holder. I would urge you to include baseball.

Mr. Onorato:

Point of procedure. If I can just state it and if Councilman Ferlo doesn't have a problem with this, if his resolution could just state very simply, regardless of the size of the stadiums that are built, that there will be X amount of seats available for every game to be purchased per game.

Mr. Ferlo:

I have no objection.

Mr. Cohen:

You made my point, Mr. President, so I am not going to repeat it. But I recommend that we have this written up as a resolution and have Councilman Ferlo be our representative to present that to the Rad Board this evening.

The Chair:

If you can write it up today and we can have sign off on it but you know you have our support.

Mr. Ferlo:

I will share it with all of our colleagues.

The Chair:

Thank you and I think it's on your top 20 list of successful initiatives this year.

Anything else to come in front of Council?

Motion to approve the minutes?

MR. COHEN moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. COHEN seconded the motion.

And on the motion of Mr. Onorato, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill 316 can be found in the Standing Committee Meeting Minutes of April 22, 1998.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *May 5, 1998* *No. 18*

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

BOB O'CONNOR..... President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN A. MASCIO..... Deputy City Clerk

Pittsburgh, PA
Tuesday, May 5, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Ms. McDonald (Pres't Pro Tem)**

ABSENT:

Mr. O'Connor (Pres't)

The Chair:

Would everyone please rise for the pledge of allegiance after which we will have a moment of silence?

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one Nation under God indivisible with liberty and justice for all.

PRESENTATIONS

The Chair:

Our first order of business is read and adopted resolutions. Councilman O'Connor is in Japan with a delegation from the administration as well as the URA trying to drum up some business for the City of Pittsburgh. So he's not able to convene this meeting today. I do have a resolution that will be read for the Foster Grandparent Program and I will read this on behalf of Councilman O'Connor. Would all those involved with the Foster Grandparent Program please come forward to receive the resolution?

For the Foster Grandparents Program, we have and raise your hands as I call your names. Jeff Herman, Executive Director, and we have three volunteers Junita Clark, Mary McCoy and Marshall Ros. For the staff we have Rich McIntosh, Chris Muerer, Carol James, Kate Bailey, and Terri Baltimore. Thank you all. I will read the resolution.

MR. O'CONNOR AND COUNCILMEMBERS VALERIE MCDONALD, MICHAEL DIVEN, DAN COHEN, JIM FERLO, ALAN HERTZBERG, GENE RICCIARDI, AND SALA UDIN PRESENT:

No. 388 WHEREAS, The Foster Grandparent Program of Southwestern Pennsylvania, sponsored by the American Red Cross, provides an opportunity for low-income men and women, aged 60 and over, to provide supportive, one-to-one services in health, education, child welfare and related settings to help alleviate the physical, mental or emotional problems of children at risk; and

WHEREAS, the Foster Grandparent Program currently has over 190 volunteers serving in 95 facilities including schools, hospitals, day care sites, rehabilitation centers and private homes to help children and young adults up to twenty-one years of age who have mental, emotional or physical disabilities; and

WHEREAS, on May 8th, 1998, thirty-two volunteers who have been active in the program for five years or more will be recognized by the Foster Grandparents of Southwestern Pennsylvania at a luncheon at the Double Tree Hotel in the City of Pittsburgh ~ they are as follows:

25 Years of Service: Dorothy Williams
20 Years of Service: Mary Durish and Jennie Gallagher
15 Years of Service: Mary Coll, Fleetwood Jackson, and Elizabeth Healey
10 Years of Service: Virginia Anderson, Nettie Bullitt, Juanita Clark, Anna Kutufaris, Irene Messino, Bessie Powell, Mary Alice Pugh, and Carmel Solari
5 Years of Service: Rebie Burkes, Aislee Dinkins, Mamie Edwards, Hazel Harrison, Mildred Jordon, Theresa Lupo, Fannie Monroe, Emma Rhodes, Marshall Ross, Eleanor Schomburg, Grace Slentz, Walter Smith, Pearl Talton, Willie Mae Tyson, Ada Van Buren, Catherine Williams, Mary McCoy, and Betty Broadus

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh extends its sincere thanks and appreciation to the Foster Grandparent Volunteers, who are being honored on May 8th, for their generous giving of their time and care in service to those less fortunate ~ for in doing so they have made this world a better place for us all; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of the Foster Grandparent Program of Southwestern Pennsylvania and the above named Volunteer Foster Grandparents, who collectively represent 280 years of commitment to helping others, does hereby declare Friday, May 8, 1998, to be "Foster Grandparent Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

I would like to call Mr. Herman to the mic to say some words about the Foster Grandparents Program.

Mr. Herman:

Thank you very much. I appreciate this opportunity to come and share with you this wonderful program. This is a program funded by the corporation for community and national service, which is the volunteer arm of the Federal

government. We have almost 200 volunteers in Allegheny, Beaver, Butler and Washington Counties. We are really, really happy to be able to share with you our celebration.

We have been enacted in Allegheny County since 1972. We have a wonderful track record. We are located in approximately 85 different sites throughout the four counties of south Western Pennsylvania. We are constantly looking to bring into our program seniors over the age of 60 who are low income and who love children. So if anyone here knows of any seniors, we would love to have them come and be part of our program. Thank you very much.

Mr. Diven:

I would like to call up Sergeant Burke, Officer McNowski, also Officer Rende and Officer Grattan. As you are aware, colleagues, this Saturday there will be a memorial service in Roberto Clemente State Park honoring the law enforcement memorial. In addition, following that we are going to have something that has been unprecedented in our area. We are going to have a Police and Community Together picnic at Point State Park that afternoon which is open to the public, it will be free.

They have put a lot of time and a lot of effort into making this a great event. We hope it will be an event that will continue for the next 50 years. So what I am going to do is read the first proclamation for the law enforcement officers memorial and let these guys say a few words.

MR. DIVEN AND ALL COUNCIL MEMBERS PRESENT:

No. 389 WHEREAS, recognition of the risks and sacrifices made by police officers originated in 1962 at the prompting of President John F. Kennedy when Congress set aside a special day in memory of law enforcement officers killed or disabled in the line of duty; and,

WHEREAS, the purpose of this observance is to call upon the citizens to pay tribute to the brave police officers who, through their fortitude, dedication and courage, have given their lives for the preservation of the public's safety, inspiring all of us to pause and reflect upon the dignity and value of human life; and,

WHEREAS, this legislative body full realizes that police work is an extremely hazardous profession, and has become increasingly more dangerous in recent years;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes the week of May 3 through May 9, 1998 as POLICE MEMORIAL WEEK in the City of Pittsburgh in recognition of and tribute to the Pittsburgh Police Officers who have made the supreme sacrifice of their precious lives for the cause of justice.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

Let me call up Officer Burke and ask him to say a few words.

Mr. Burke:

Once again I would like to thank the members of Council for giving the proclamation. This year is going to be one that is going to be special because of what PACT is doing. We expect quite a few police officers and people to participate. Since we have the memorial on the North Side, some of the events that are going to start over there is a bike race, but I will let Officer Rende explain that.

We have two names going on the memorial this year and they were found by the members of the family. We encourage all police families to do research to see if they do have a member that was killed in the line of duty and if so they will be placed on the memorial.

Council has been gracious in passing to give us the property over there at Clemente Park. We have a few things to do over there and hopefully this summer we will get some water and electricity over there to improve our site.

Once again I want to thank the members of Council for the proclamation. For the people, I would like you to do one thing this year, Police Memorial Week they are flying blue ribbons from May 9th to the 15th which is Police Memorial Day and coming in the fall we ask members to put a blue light in the window. The blue light is a symbol that you support police in your community. Although we have a thin blue line, that light is reassuring that you people out there appreciate what police officers are doing. Thank you.

Mr. Diven:

Next, I would like to recognize the formation and the successful organization of a group called Police in Communities Together. It was in January when I first came on as Councilman. I was approached by a couple of police officers and we had the opportunity to meet with Council President O'Connor and discuss what they would like to do. The feeling that we had gotten from these officers was that they were tired of working in the community and feeling like there wasn't that much support for them.

What they came up with grew from a small and formal picnic in Schenley Park to an event where they hope to have 30,000 people in Point State Park and have free games, events, and bands for the entire City of Pittsburgh.

It's a great privilege for me to be a part of this and I think that this is going to be something that grows. One of the greatest things about this organization is it's an organization which is concerned with kids in the community and how our police officers interact with them. At present we have a number of police officers on the City of Pittsburgh's police force who volunteer their time in a number of different ways working with kids. Whether it be coaching athletics, after school tutoring programs, involved with community organizations that focus on kids, and one of the things that is so good about this Police and Communities Together Foundation is the fact that this organization will use money and revenue raised from events like the one they are having this Saturday to give back to these

communities and these organizations that support kids, that have police officers that volunteer their time to be apart of it.

So let me read this proclamation and then call up Officer Rende and Officer Grattan to give you a run down as to what is going on this weekend at Point State Park.

MR. DIVEN AND ALL COUNCIL MEMBERS PRESENT:

No. 390 WHEREAS, police officers from the City of Pittsburgh, Allegheny County and several surrounding counties and boros in Southwestern Pennsylvania recently came together to form the Foundation for P.A.C.T. (Police And Communities Together), and,

WHEREAS, this organization has been created by police officers to strengthen their community ties and give back to the community that supports them and,

WHEREAS, on Saturday, May 9, 1998 the 1st Annual P.A.C.T. celebration will take place at Point State Park and,

WHEREAS, this celebration will bring together many police departments, police officers and their families to reward those who unselfishly give, remember those who gave, and to mourn those who died while giving and,

WHEREAS, the celebration will include such festivities as a police bike patrol race through downtown Pittsburgh, games and entertainment for children and adults, live music throughout the day and much more;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby applaud P.A.C.T. in it's efforts to honor fellow police officers and their families and improve the relationship between police and the community, and wishes them the best of luck with their celebration.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, May 9, 1998, P.A.C.T. day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to call up Frank Rende and Gene Grattan and ask them to talk about what is going to go on this Saturday.

Mr. Rende:

My name is Frank Rende. I am a Pittsburgh Police Officer and three months ago we came up with an idea for police in the community to kind of mend the fences. It's a rank and file movement; we're backed solely by ourselves and police officers in all the surrounding counties. It's to educate the communities that police officers are human too. We are father and husbands, wives and mothers and we all have the same goal here, it's our children. We seem to have lost a generation of children.

The police and in the news we're

always on the front page, but it is never good. So, we want to change this and by the doing this with the kids, we feel that maybe as they get older they will say that when they were young the policemen helped them in their athletics and the scholastic. Maybe that will change their attitude. There are a lot of programs out there with police, the DARE and Cops for Kids, but it is always a policeman in uniform. We are being paid to go to the schools. This way we are donating our time down at Point State Park.

All the activities are free for these children. We have bands playing and different police demonstrations. It is all free and we are going to be out of uniform so the kids can sit in our vehicles and we can pick up a little kid and hold them. They can see that we have families too. But we are trying to change it.

I would like to thank Councilman Diven and Councilman O'Connor and the rest of City Council for their help. Councilman Ferlo donated bicycle helmets which was a big help for us. We hope it's a success, a year long, year round thing. We hope it will change and we hope it will change the way society looks at policing; with any luck that will happen.

Mr. Grattan:

Hello. Again thanks to Councilman O'Connor and Councilman Diven and the rest of Council that have helped us so much, for the helmets, Mr. Onorato for the box seat tickets to give away to the children. Again this foundation works hand in hand. We are out there for the community and for the community solely because that's how we can get back with the kids and with the community.

I would like to thank also Stephen Zappalla from the District Attorney's Office. He had given us graciously $18,000 of confiscated funds to take bad money and turn it around into good. We are also going to hire college athletes and we are also going to do clinics day in and day out during the summer so again we can change the perception of what police are in their communities. There is also going to be off duty officers that are going to work hand in hand with us.

Thank you very much and I hope to see everyone down there Saturday morning starting at noon all the way until about eight or 9 o'clock at night in the evening.

Mr. Cohen:

Thank you. I just want to first of all acknowledge the law enforcement memorial on Saturday morning. Thank you, gentlemen, for working so hard in keeping the flame alive really. I also just want to thank Officer Rende and Grattan for all your hard work in putting this together. It is just a really fantastic effort as a whole. We have an excellent and professional police force and that will be certainly shown on Saturday.

I don't know if people realize, I don't even realize. how much you have done to put this together. It is going to be just a fantastic day, kids are going to love it and most of all it is going to bring together the police and the community and it's going to be a fun time. On this Council along with other Council members who have done specific things, the one Council member who deserves the most praise is Councilman Diven who has really come forward to the rest of Council

to support this very strongly.

So I look forward to that day except for one moment and that is when I am going to be dunked apparently. Other than that I think it is going to be a great day and congratulations for all your hard work.

MR. HERTZBERG AND MR. DIVEN AND MR. RICCIARDI PRESENT:

No. 391 WHEREAS, the Wheeling and Lake Erie Railway Company Controls real estate which passes through our community; and

WHEREAS, the Wheeling and Lake Erie Railway Company is offering to sell major portions of its property to the public for alternate use; and

WHEREAS, purchase of this property by the public would be of benefit to our community and the greater community; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh fully supports the proposed sale of the W& LE Properties in the South Hills of Allegheny County to the public, acting through the Pennsylvania Department of Transportation.

WE HEREBY DIRECT the City Clerk to transmit copies of this resolution to the Governor of Pennsylvania, Pennsylvania Secretary of the Budget, the Allegheny County Commissioners, State Representatives and Senators in the affected areas and neighboring Municipal Governments.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

Everyone with WQED please come forward. As they are coming up, we have George Miles, CEO WQED, George Heisminolas, Rick Seback, BJ Leber, Carolyn Wean and did I get everybody?

I wanted to read this proclamation. It gives me great pleasure to read it, but I held off on preparing it for several years until WQED finally got around to doing a North Side story. Now it is time to present the proclamation. I am going to read it and then I want to hear from some of the individuals who have actually put together a nice video, let's say, library on the history of our neighborhoods and they're going to continue to do it. I look forward to them doing it. I also enjoy watching these because it shows me a lot of things about the neighborhoods that I didn't even know existed.

MR. ONORATO PRESENTS:

No. 392 WHEREAS, Mr. George L. Miles, Jr., President and Chief Executive Officer of WQED Pittsburgh, returned to Pittsburgh in 1994 to assemble a new management team to reorganize the company and to re-connect with the Pittsburgh community; and

WHEREAS, Mr. Rick Sebak, a native Pittsburgher, has worked as a television producer for WQED since the summer of 1987; and

WHEREAS, Mr. Sebak's first local history special, The Mon, The Al, & The O was produced in 1988. In quick succession came his next ten local history specials, which are now collectively entitled The Pittsburgh History Series. The series includes the ten programs Kennywood Memories (1989), Holy Pittsburgh!(1989), Things That Aren't There Anymore (1990), Flying Off The Bridge To Nowhere! And Other Tales of Pittsburgh Bridges (1990), Downtown Pittsburgh (1992), Stuff That's Gone (1994), Houses Around Here (1994), The Strip Show (1996), and most recently, North Side Story (1997); and

WHEREAS, these programs attract WQED's highest ratings, and public television stations across the country have imitated their unique style; and

WHEREAS, these programs have received many awards and much praise from such notable sources as The New York Daily News, The Washington Post, TV Guide, USA Today, The Associated Press, The Pittsburgh Post-Gazette, KDKA, PCNC, and a host of other radio and television stations; and

WHEREAS, Mr. Sebak himself has received many awards as well as six regional Emmy's for his work; and

WHEREAS, these programs celebrate local history and places many people know and love. The programs have a distinctive, friendly mix of local history, pop culture and memorable personalities. The shows reflect the 'real' Pittsburgh.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Mr. George L. Miles, Jr., and Mr. Rick Sebak for their hard work and dedication in bringing these excellent programs not only to the City of Pittsburgh, but to the entire nation.

FURTHER BE IT RESOLVED that Council commends Mr. Miles and Mr. Sebak for creating programs we all know and love and wishes to thank them for their excellent efforts in promoting the best in our city.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. Sebak, one thing I have learned after the North Side Story and this is probably the highest complement that can be paid, were all the complaints he received. You know what everyone's number one complaint is over on the North Side is, and I am sure it was every area you did it, is why wasn't I in the story? Why did you miss my home? Why weren't you in my neighborhood? You forgot about this.

My understanding is that you get this everywhere, when you do these stories and that you actually are going to go back and do follow ups in some of the neighborhoods. Because there is so much history to put into a small amount of time, but I thought it was great.

There were a few receptions on the North Side and like every neighborhood in the City, people take pride in the history. We are a city of neighborhoods and I think

that's why the ratings were so high. People like to see what was there and where we are going and what still remains.

At this time, I would like to have Mr. Miles, if you want to say a few words.

Mr. Miles:

Thank you Councilman, I really appreciate the proclamation. I just want to say three things here this morning. First of all thanks to Council for this proclamation. As he said in that proclamation, I returned here in 1994 really to reconnect WQED to this community. We are on our way; we had to make some really tough decisions. We appeared here before a couple of years, but we have to make some tough decisions and we are on our way to making that happen.

The second thing is as part of our community effort this is a central product here, Pittsburgh history series. The body of work that Rick has produced over a number of years is really an essential part of our mission. I also want to announce today that as part of our reconnect in this community, we see ourselves as exporters of Pittsburgh where we can export this community to the rest of the country not only with the talent that we have.

A good example of that is the Strip Show, which was done two years ago. It was the first funded program that we have had on the Pittsburgh History series partially funded. We got that program aired on 200 public television stations around the country. The night of the broadcast nationally last November we got over 1000 requests for videos from around the country. So people in Perduca, people in Seattle have gotten a chance to see our neighborhoods.

I am also here to announce today that the North Side Story will be airing nationally. We just got that cleared a couple of weeks ago. We will be airing nationally on public broadcasting stations around the country so we will get the same sort of requests. Also, it really allows individuals in this country to see the great neighborhoods in Pittsburgh.

The other thing is we have gotten now funding for is the South Side, which will air next December. Rick will talk a little bit about that. It will be airing in December. He is really into the production of that. So we are getting another neighborhood.

Future productions look like we are talking about maybe Oakland, to do that community. One of the things we hopefully will get funded for next year is a program Things That Are Still Here. As we move to the new century and really want to celebrate what we have in this community.

Lastly, is that we have also just received funding with the great help of Dave Mayernik from the State to take Rick's project, the Pittsburgh History Series and develop an educational curriculum. So now you will not only see him on the air, but will allow the kids in the classrooms around the community will be able to use that so we can develop a curriculum and the work that goes behind that.

So it will not just be an hour program but will be part of our education institutions here. So we are really building

the community. We are reconnected and we are really happy for this proclamation and recognition of that.

I would like to have Rick come on now and say a few words because he has the -- I do the business and the franchise and the focus and that stuff, but Rick has the passion of this project. I would like Rick to maybe say a few words about the project. Thanks again.

Mr. Sebak:

I just want to say thank you. I know how lucky I am. I think my job has to be one of the best jobs I have ever heard of. I get to celebrate one of the best City's I know, which happens to be my hometown, one of the most unusual and interesting places on earth in a series of documentaries and we love doing them.

I have to acknowledge the fact that I really don't do them alone, although I often get a lot of the credit. I always work with a crew of wonderful people, camera men, sound people, lighting people. All of us try to act as goofy as we can when we are out in the field so that no one thinks we are doing anything important. We try to make people relaxed and talk about what it is about the City that they love.

Also a special thanks to the Buhl Foundation which funded North Side and South Side now, and our other wonderful corporations and organizations, PNC Bank, the Pittsburgh Foundation, all the wonderful organizations who have helped us over the years to get these things funded. That certainly includes everybody in the City of Pittsburgh, all the viewers like you. I don't think if the people of Pittsburgh hadn't shown such support for these and bought them and home video versions and all of that, they would never have continued. So we have to say thank you to everyone. Thank you.

Mr. Ferlo:

While they're getting their picture, I do want to thank WQED and Rick in particular and also thank Rick for agreeing to participate in the 100th Anniversary celebration of the Lawrenceville Library. He has agreed to come out and do a road show at the Lawrenceville Library regarding his production and skills. I don't know if it is violative of WQED's marketing agenda, I think the video documentary's that you have done and I know you will be doing in the future, to my sense really have done more to promote the City and in around the City of the region as well as nationally.

I hate to be critical but even more than the $4 million budget we seem to give the Pittsburgh Convention and Visitors Bureau but we will get into that issue later. But if there is anything we can do and I don't know if it is violative of WQED, but we have two government stations that on any given day you will see the same program 15 times. I am tired of seeing the Mayor's Awards. Although I love the awards, and I love the employees, if there is anyway that we could air some of your programming on the two government channels that we have, I think it would be a great way to continue to promote the City and really show a tribute to the good work of WQED. So please keep that under advisement.

Mr. Udin:

I want to add my congratulations to

WQED, George Miles, and who sometimes gets mistaken for Sala Udin, and Rick Sebak. I thought about you last night when I was listening to the Bill Cosby Show. Bill Cosby had integrated into his story line Pittsburgh and the Pittsburgh Penguins. They had the owners from the Penguins flying back and forth. There was a whole thing about Pittsburgh and there are not a lot of people who market Pittsburgh and who put Pittsburgh out as a positive experience for people to come and visit.

You have done a lot around the country to help promote and market Pittsburgh. I just want to join in with my colleagues and thanking you for helping to make Pittsburgh known throughout the country.

Mr. Cohen:

I want to join in the chorus here of just congratulating you on a wonderful series. First of all to thank Councilman Onorato for bringing you down here because so many of us admire the series but we hadn't thought of actually bringing you into these chambers. I am glad Councilman Onorato did.

Rick, you have created a visual time capsule of Pittsburgh. It's so important and it brings back a lot of people's childhood's but at the same time instills a real sense of love and warmth for Pittsburgh. So I just want to thank you so much for producing that. I own many of them and try to see them as much as possible. When you step back and think about it when all of us are gone, your series is going to remain and that's a real contribution to Pittsburgh. So thanks so much for doing it.

MR. UDIN PRESENTS:

No. 393 Whereas, on May 6, 1998, Pittsburgh Voyager will launch its second research vessel, Discovery; and

Whereas, Pittsburgh Voyager's new school curriculum, Boats, Bridges and Water will provide opportunities for Pittsburgh middle school students to put mathematics and physical science classroom theory into practical application; and

Whereas, Voyager, Pittsburgh Voyager's first vessel has carried over 10,000 students from the region on a field expedition of the Allegheny, Monogahela and Ohio rivers; and

Whereas, Pittsburgh Voyager recognizes the foundation, corporate and educational communities whose support has enabled Pittsburgh Voyager to flourish;

Now, therefore be it resolved, that the Council of the City of Pittsburgh hereby supports Pittsburgh Voyager's commitment to the development and continuation of a Pittsburgh river-based experiential learning center;

Be it further resolved that the Council of the City of Pittsburgh congratulates Pittsburgh Voyager on three years of excellence in the youth educational and leadership development as well as science, math, technology and environmental awareness and joins Pittsburgh Voyager in celebrating the ceremonial launch of Discovery.

No. 394 Whereas, In 1992 the University of Pittsburgh Cancer Institute

(UPCI) implemented a comprehensive community cancer outreach program called the African American Cancer Program. The AACP was developed in response to the disparity in the morbidity and mortality cancer rates that exists between African Americans and other ethnic groups. This program seeks to improve the odds against cancer for residents of the local African American community and

Whereas, Of the 1,359,150 cancer cases diagnosed in the United States in 1997, about 136,380 will involve African Americans. The survival rate for cancer in African Americans diagnosed between 1986 and 1991 was about 42% compared with 54% for Caucasians and

Whereas, The purpose of the Celebration of Life dinner is to impact the fatalistic attitudes held by African Americans concerning a diagnosis of cancer. It also provides an opportunity for those who have been diagnosed to tell the community that survival of cancer is possible, when it is detected at an early and

Whereas, The 6th annual "Celebration of Life" dinner on May 3 at the Sheraton Station Square will feature Carolyn Clifford of WPGH as Mistress of Ceremonies and Esther Bush, President and CEO of the Urban League as Keynote Speaker for the event and

Whereas, The first "Celebration of Life" dinner for African American cancer survivors was held at Ramsey's Restaurant in Homewood in April of 1993. The focus of the program was survivorship. Approximately 80 people were in attendance and

Whereas, The "Celebration of Life" dinner for African Americans has been held annually since 1993. The number of participants have swelled from eighty to approximately 250 in
1997 and

Whereas, The Celebration is one part of a week of community education and awareness activities facilitated by the African American Cancer Program and

Now therefore be it resolved that the Council of the City of Pittsburgh commends the work of University of Pittsburgh Cancer Institute and the African American Cancer Program and declares April 27,1998 through May 3,1998 Minority Cancer Awareness Week.

MR. HERTZBERG moved to adopt the resolutions.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

I have one that I will be presenting and six to be read into the record. Would Mary Esther VanShura and her delegation of Senior Citizens please come forward?

Mary Esther VanShura, I just want to say you did a good job bringing everybody in here. This resolution was read on behalf of all Council members last week for the older Americans month. It was our Senior Interest Volunteer recognition. The luncheon was held at the Sheraton and I have to say it's always impressive if you have never been there, you need go. There were over 600 in attendance there, over 600. It was just

packed; every table was filled with seniors and volunteers. If you really want to campaign, you go to that luncheon next year. I know where the votes are. All right. I want to read the resolution.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 361 WHEREAS, the month of May 1998 has been declared Older Americans Month with the week of May 11-15, 1998 being National Senior Center Week; and

WHEREAS, Citiparks has served the INTERESTS of senior consumers since 1957and over 20,000 have received services and census data indicate that there are now 86,000 Seniors in the city who can reap the many benefits in the Senior Community Centers in the SENIORINTERESTS Program; and

WHEREAS, the multi-purpose mission of SENIORINTERESTS is to address the intellectual, physical, social and financial interests of the Seniors; and

WHEREAS, over 200,000 meals are served in our centers keeping older Pittsburghers healthy and socially involved; and

WHEREAS, Seminars will be held on three Thursdays in May at selected sites providing practical information on services for family and friends of Seniors enriching their lives;

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors the SENIORINTERESTS Program, and its participants, and all Seniors in the City of Pittsburgh, and encourages all residents to become involved with the SENIORINTERESTS Program.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares May 5, 1998 as SENIORINTERESTS Day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Without further ado, I would like to turn this over to Mary Esther VanShura, who is Deputy or Assistant Director in charge of our Senior Interest Program here in the City of Pittsburgh.

Ms. VanShura:

Thank you. On this experience I will not be singing, but we wanted to thank you for this honor today. As many of you well know, the older American's act was passed during the Linden Johnson administration to serve the needs of older Americans. Now we wait patiently and perhaps somewhat impatiently for the reauthorization of that bill for our seniors.

We feel very strongly that over the last few years we have responded to that legislation and we are very proud of the dramatic changes that we have made. We have looked to our new grant that we received in Mount Washington; we will be putting in our first health and wellness center. We look at our program in

Oakland in which we have a new program, a recent grant that was awarded to us to look at serving the needs of the mentally challenged.

We look in Homewood for our new intergeneration program this past year with the seniors and the children of Region Square. Our new program in Northview Heights for rhythmic dance, our new program on the North Side in which we are challenging seniors to be cycling and encourage you to join us in that.

On South Side our recent grant that was awarded for Acorns and Oak Trees, a collaborative with the preschool in which we are doing a joint physical fitness. For those of you who could join us last week at the Byham Theater in which was probably one of the most innovative experiences. We had the children of the CAPA School and the seniors go to the Carnegie Museum of Art and put within song and dance the regenerating of their experiences that they had in the steel mills and the life in the 20th Century.

We are delighted about these new initiatives and look forward to expanding. We also ask you to join us as we celebrate older American's month in seminars and it was quite gratifying to see grand parenting. The number one issue that we hear today of our seniors is they're no longer just grandparents. The focus is just not on being grand any more; it is more on being parents as you well know. The challenge is much of our seniors today and they ask of us, we hear so often of our seniors who can't even some days come to our centers because they have no place to take their grandchild.

The demands are different than they were when legislation was passed. It asks of us and all of you my members of Council to respond more creatively and more dramatically in the next millenium.

Now I would like to turn over just one second please to one of our seniors who joined us this past year for one of these new programs in golf and tennis and cycling. Mr. Lafayette Brown.

Mr. Brown:

Good morning. I am one of the new senior citizens last year. In talking to Ms. Mary Ester and Jim Krashna as to why I came to the center, I first wanted to come and brought to the center with me leadership and workmanship. Also I seen Ralph to bat that we were senior citizens sitting around too much and not doing anything to motivate us. Like I went into tennis, bowling, golfing, I love to swim, I love to dance, and I just have so many things I love to do, physical fitness program, running exercising. When I came to the center, I didn't see too much of that with the senior citizens.

This is what we need. We are just beginning life. I ran into a lot of nice people and we all talk the same talk, we need more programs. We are not old; we are just beginning life.

Ms. VanShura:

As Mr. Brown said we are engaging in new programs and that's what it is all about and continue to expand our golf program, our tennis program, our cycling program and we are doing that. We had 118% increase in water aerobics alone. We have to do more. There is a whole new generation waiting for us.

Now for one last comment I would like to ask a gentleman that organized the Older American activities, Mr. Jim Krashna one of our supervisors.

Mr. Krashna:

I kind of wish I would have gotten on before Mary Ester. I have been employed by City government for over 27 years and I would like to say that this is one of the few times I am really proud of the service delivery that is being offered by Citiparks senior programs. Mr. Udin was at our show the other night when we put on a performance at the Byham and we are just not concerned about the gifted but we also want to deal with young people and see how young people can start building bridges for delivery of services. We are doing that at Rodgers School and we hope to continue to provide these programs for the city.

So, when you guys get ready to come and I heard Council McDonald say she would dance you guys under the table, she needs to come to the Senior Center and we will show her how to dance. Thank you.

Ms. VanShura:

I want to thank the members of Council for this honor today on behalf of all our seniors. We welcome you to our Senior Centers. We also welcome you to some other new programs that we are just starting. One is our computer program in Hazelwood in which we are taking our seniors to the Carnegie Library there and learning to work on the Net.

So, we look forward to all of you joining us throughout Older Americans Month. Thank you for this opportunity. Thank you so much Councilwoman McDonald, you have been a delightful addition to our department. On behalf of the department I want to thank you as well.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 395 WHEREAS, on Thursday, May 7, 1998 the Negro Education Emergency Drive (NEED) will celebrate it's 35th Annual NEED Dinner at the Pittsburgh Hilton Hotel. During this lavish affair the NEED Board of Trustees will present Dr. Mae C. Jemison with a proclamation naming May 7th Mae Jemison Day; and

WHEREAS, since 1963 NEED has counseled and educated adroit African-American students in various scholarly disciplines. Assistance in preparation for college, business, trade and/or technical schools is the fundamental concept behind NEED; and

WHEREAS, NEED also gives financial aid to students that are in dire need. Assistance referred to as "last dollar" is often granted to individuals that have expended all federal, state, and institutional aid; and

WHEREAS, programs such as Adopt-A-Student, and Alumni Giving are being established in order to increase diminishing funds for over three-hundred gifted students; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends and recognizes NEED for its lasting devotion to helping

student achieve their goals. Furthermore, we applaud the program on 35 years of support to youth in the Pittsburgh area.

No. 396 WHEREAS, on Tuesday, May 5, 1998 the Allegheny County Bar Association and the Homer S. Brown Law Association is hosting a retirement celebration for the Honorable Livingstone Morris Johnson at the Double Tree Hotel in Pittsburgh, Pennsylvania. Mr. Livingstone is being honored upon his retirement from the Allegheny County Court of Common Pleas for having served honorably for twenty-four years; and

WHEREAS, Mr. Johnson was the fifth of eight children born to Oliver Livingstone Johnson and Irene Olive Morris Johnson on December 27, 1927. Mr. Johnson was born and raised in Wilkinsburg, attending Johnston Elementary School, Horner Middle School and Wilkinsburg High School. While in high school Mr. Johnson began his lifelong mission of breaking color lines through achievement. In this regard, he was the first African-American Boy Scout to earn the Eagle Badge in the East Boros Council; and

WHEREAS, After graduating from high school, Mr. Johnson enrolled as an undergraduate student at Howard University. Upon completing his undergraduate education Mr. Johnson wanted to attend law school as his father did. However, as a result of being called to active duty by the United States Air Force in 1949, his dream was put on hold. Mr. Johnson flew 58 combat missions over enemy territory. In addition to numerous medals and honors, he was inducted into the Allegheny County Hall of Valor in 1962. On his return from the Korean War, Mr. Johnson entered the University of Michigan Law School and earned his J. D. degree in June 1957; and

WHEREAS, After joining his father in the practice of law, Mr. Johnson married LeeBrun Johnson on April 30, 1960. Their marriage has been blessed with five children, and three grandchildren. Mr. and Mrs. Johnson have instilled strong values and work ethic in their children. Their oldest daughter, Lee Carol Cook, is an attorney working for Georgetown University. Their oldest son Oliver Morris Johnson II, is an attorney at Merck & Co., Inc. Their second daughter Judith Lee Campagnari, works for Pfizer, Inc. The Johnson's second son Livingstone James is an attorney now working for Merck & Co., Inc., and their last child, Patricia Lee will soon graduate from the Katz School of Business at the University of Pittsburgh; and

WHEREAS, Since entering the law profession, Mr. Johnson has distinguished himself in many areas, receiving countless awards and honors for his dignified and noble service.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends the honorable Livingstone Morris Johnson on his dedication to upholding the law and uplifting his community.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 397 WHEREAS, The annual recognition ceremony of The Best Friends Program is a ceremony where girls involved in the program sing, dance and are recognized for their achievements by

parents, mentors and community leaders. On Thursday, April 30, 1998 The Best Friends Program will have its annual recognition ceremony at the Twentieth Century Club, 4201 Bigelow Blvd.; and

WHEREAS, Since 1987, the Best Friend Program has been helping hundreds of adolescent girls across the nation. This program provides the guidance and skills that adolescents need. The Best Friends Program is also based on the true spirit of friendship. To this end, the program gives adolescent girls the opportunity to discuss their problems, desires, and dreams, and help one another make difficult and sound judgments; and

WHEREAS, This program helps girls by showing them how to increase their self-respect, teaching them how to make positive decisions, how to support each other in postponing sex, and how to reject illegal drugs and alcohol. Today, there are over two thousand girls participating in the Best Friends Program nationwide; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends The Best Friends Program on its dedication to educating adolescent girls and guiding them in a positive direction.

MS. MCDONALD PRESENTS:

No. 398 WHEREAS, on Saturday, May 2, 1998 Cyrene Chapter No. 9, Order of the Eastern Star of the Seventh Masonic District will be hosting a "Pre Mothers Day Festival" in Foster Plaza, Greentree, Pennsylvania. The highlight of this festival will be the presentation on the Nellie M. Cathie Scholarship Award; and

WHEREAS, Cyrene Chapter No. 9 was issued their charter from Deborah Grand Chapter on April 14, 1914. From a biblical perspective, Simon, the bearer of Jesus's cross to the site of crucifiction was from Cyrene, a place located in Northern Africa. Therefore, Chapter No. 9 chose the name Cyrene because they are all bearers of the cross of Jesus; and

WHEREAS, two of the most venerable past matrons of Cyrene Chapter No. 9 are Ms. Ella Mae (Betty) Phillips and Ms. Susie Jones Buckner. Ms. Phillips became a member of the Order Of Eastern Star in 1942, after marrying her husband, Emanuel Phillips, Jr. Ms. Phillips joined Cyrene Chapter No. 9 in1943. She was appointed District Deputy Grand Worthy Matron on three separate occasions. In this regard, Ms. Phillips and served from 1954 to 1956, 1956 to 1958 and 1962 to 1964. She also served as Grand Worthy Matron from 1969 to 1971. During this administration Ms. Phillips along with other members were able to claim the first Grand Chapter Session to register 1,000 attendees. These are only a few of Ms. Phillips many accomplishments; and

WHEREAS, Ms. Susie Jones Buckner was born on December 24, 1897 in Dolomite, Alabama. Coincidentally, Ms. Buckner was also born in to a Masonic family. Ms. Buckner became a charter member of Fidelity Chapter No. 29, Order of the Eastern Star, while her husband, Oscar became a member of Nazarene lodge No. 60. Ms. Buckner demitted from Fidelity Chapter No. 29 and

joined Cyrene after moving from New Kenington to Pittsburgh, Pennsylvania. Along with her dedication to the Order of Eastern Stars, Ms. Buckner has also managed to have six children, nine grandchildren, six great grandchildren, and one great great grandchildren; and

NOW, THEREFORE BE IT RESOLVED, that Council of the City of Pittsburgh commends and recognizes Ms. Ella Mae (Betty) Phillips, Ms. Susie Jones Buckner, and Cyrene Chapter No. 9 on their service to their chapter as well as their community.

No. 399 WHEREAS, On May 2, 1998 Alleghenians LTD., INC. will host its 5th health initiative. The " Caring & Sharing With Our Neighbor" will be held at the Homewood-Brushton Branch of the YMCA. This health and information fair will provide free health screenings, mammogram screenings, eyes, ears, nose, and throat examination by health professionals. In addition, information on lupus, heart disease, diabetes, and cancer will be available; and

WHEREAS, Alleghenians, Ltd., Inc. has been active in Allegheny County for 14 years. In 1985 Alleghenians, Ltd., Inc. directed various voter registration drives, including the Senior Citizens Homewood House. This housing development had the highest number of African-Americans registered in all of the predominately African-American communities in Pittsburgh. During the same year this community service organization conducted an educational initiative at the Letsche Alternative Learning Center. This career conference named the "Silhouette Image Awareness Seminar" gave young African-American students the chance to meet and talk to African-American professionals; and

WHEREAS, in 1994 Alleghenians, Ltd., Inc. co-hosted a legislative forum with the National Association of Negro Business and Professional Women Club, Inc. Alleghenians, Ltd., Inc. has also taken vigorous financial initiative with students. To this end, Alleghenians, Ltd., Inc. has give fifteen $500.00 scholarships to well-endowed students; and

WHEREAS, since September 1984 Alleghenians, Ltd., Inc. has zestfully served the community of Allegheny County. Through education and awareness this non-profit organization has improved the lifestyles of citizens on a social, educational, economical non-partisan political, and environmental level; and

NOW, THEREFORE BE IT RESOLVED, that Council of the City of Pittsburgh commends and recognizes Alleghenians, Ltd., Inc. for its continued dedication to educating the citizens of Allegheny County on health and medical issues.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 400 WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local governments exists throughout the world; and,

WHEREAS, the Office of Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of Municipal Clerk provides the professional

link between the citizens, the local governing bodies and agencies of government at other levels; and,

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and,

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and,

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the week of May 3-9 as "Municipal Clerks' Week" and extend appreciation to all municipal clerks for the vital services they perform and their exemplary dedication to the communities they represent.

MR. HERTZBERG moved to approve the resolutions.

MR. FERLO seconded the motions.

The Chair:

That completes our read and adopted resolutions we will now go to presentation of papers.

MR. FERLO PRESENTED:

No. 401 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Restoration of Seven (7) Tennis Courts at Schenley Oval, the Renovation of the Playground in Frick Park at Beechwood Blvd., the Renovation of a Recreation Area at Hawthorne Grove in Highland Park, the Restoration of Victorian Gardens in Highland Park and for the purchase of equipment and materials for said projects; and providing for the payment of the costs thereof, at a cost not to exceed $620,000.00 chargeable to and payable from Account 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2245001, Budget Year 1998.

Which was read and referred to the Committee on Engineering and Construction.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 402 Resolution authorizing and directing the Department of Finance of the City of Pittsburgh to establish a memorandum of understanding for excluded tax lien properties, repurchased tax lien properties, additional/subsequent tax lien property sales, establishment of a property reserve and a property reserve trust fund. **(SPONSORED BY MR. ONORATO)**

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

No. 403 Resolution providing for an agreement or agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impaction criteria as specified in the Residential Parking Permit Program Ordinance, chapter 594.04, in order to qualify for designation, at a cost not to exceed $15,000, chargeable to and payable from account 526100, SubClass 150, Fund 1000, Org. 110210, Budget Year 1998.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 404 Resolution authorizing and directing the Solicitor of the City of Pittsburgh and the Director of the Department of Finance to draft ANTI-WINDFALL PROVISIONS from Allegheny County property reassessments within (30) days of final passage of this resolution **(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 405 Resolution transferring the amount of $4,600.00 from Code Account No. 46, Index Code 004606, Fund 1000, Sub 170, Account 582200, Org. 999200 to Code Account 481100, Fund 8710, Org. 420000, Budget Year 1998, for repair of a broken sewer line in settlement of a claim of Denise Bigley at 1302 Basin Street, Pittsburgh, PA 15212.

No. 406 Resolution amending Resolution No. 447, Item I, effective July 29, 1997, which authorized the sale of a vacant lot, located at 740 Hillgrove Avenue, 20th Ward, Block 35 N, Lot 122 (pt.), to Vera A. Birmingham.

No. 407 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales known as lien excluded properties, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

That completes our presentation of papers. Any unfinished business to be brought before the body? If not, we will move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 408:

Report of Committee on Finance and Budget for April 29, 1998, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 332:

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s) and/or contract(s) for matching funds in conjunction with a Federal grant for the Copsmore96 Program for any and all expenses associated with the purchase of computer equipment, software, communications equipment, analysis, design, development, programming, professional services, and maintenance in conjunction with the feasibility, development, enhancement or implementation of the Mobile Data Terminals, New Computer Aided Dispatch System, and Imaging Application and Copsmore95 Program as they relate to Public Safety Applications. Cost not to exceed $1,465,000.00.

Which was read.

Also,

Bill No. 333:

Resolution amending Resolution No. 838, effective January 1, 1998, entitled "Resolution adopting and approving the 1998 Capital Budget and CDBG Program; and approving the 1998 through 2003 Capital Improvement Program" is hereby amended by decreasing line item entitled Consent Decree Implementation, Account 542700, Fund 5100, Organization 102000, Sub-class PGHPR, Project 2261556, Budget Year 1998, by Seven Hundred Fifteen Thousand Dollars ($715,000) and by increasing line item entitled Copsmore Program, Project 2261555, Organization 102000, Sub-class PGHPR, Fund 5100, Account 526100, City Information Systems, by Seven Hundred Fifteen Thousand Dollars ($715,000) from Seven Hundred Fifty Thousand Dollars ($750,000) to One Million Four Hundred Sixty-Five Thousand Dollars ($1,465,000).

Which was read.

Also,

Bill No. 351:

Resolution repealing Resolutions, approved on various date, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984. The reason for repealing the Resolutions is that the purchasers in the respective sales have all failed to comply with the Agreement of Sale. The hand money, as specified below, is to be forfeited.

(A) 14 Reed Street, Purchaser: Dale L. Williams, 3rd Ward, Block 2H, Lot 254, Amount Forfeited $100.00. Council District 6.

(B) 1126-1128 Herron Avenue, Purchaser: Jerome Williams, 6th Ward, Block 26E, Lot 168 & 169, Amount Forfeited $100.00. Council District 7.

(C) 3622 Smallman Street, Purchaser: Mildred E. Hensch, 6th Ward, Block 48M, Lot 14, Amount Forfeited $100.00. Council District 7.

(D) 6503-6505 Shetland Avenue, Purchaser: Robert L. Hefflin, 12th Ward, Block 124P, Lot 267 & 268, Amount Forfeited $100.00. Council District 9.

(E) 818 Parkwood Road, Purchaser: Betty Jean Dragone, 16th Ward, Block 32B, Lot 335, Amount Forfeited $100.00. Council District 3.

(F) 830 Steuben Street, Purchaser: Rita Baxter, 20th Ward, Block 19B, Lot 14, Amount Forfeited $100.00. Council District 2.

(G) 58-56-52 Strauss Street, Purchaser, Sean Eubanks 26th Ward, Block 45M, Lot 228-229 & 232, Amount Forfeited $120.00. Council District 1.

(H) 115-111 Grasmere Street, Purchaser Dennis C. Petticord, 28th Ward, Block 39E, Lot 10 & 11, Amount Forfeited $100.00. Council District 1.

Which was read.

Also,

Bill No. 352:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 7 Moutrie Street, 4th Ward, Block 11L, Lot 153, being sold to Toni McClendon, $2,700.00. Two story brick house situated on a lot containing 1,218 sq. ft. Intended Use: Personal Residence. Council District 6.

(B) 8130 Frankstown Avenue, 13th Ward, Block 231-N-36, being sold to Delicha G. Lattaker, $3,500.00. Two story brick house situated on a lot containing 2,025 sq. ft. Intended Use: Investment. Council District 9.

(C) 1022 Riggo Way, 21st Ward, Block 22S, Lot 47, being sold to Allegheny West Civic Council, $1,200.00. Two story brick house situated on a lot containing 1,130 sq. ft. Intended Use: Redevelop. Council District 6.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? If not, the bills are now ready for final action, all in favor of the passage of the bills vote aye when your names all called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Ms. McDonald (Pres't Pro Tem)

AYES Seven NOES None

Bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 409:

Report of the Committee on Public Works, Water, and Environmental Services for April 29, 1998, transmitting a sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 345:

Resolution Granting unto the Housing Authority, City of Pittsburgh, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a retaining wall within the Right of Way (40 feet in wide) near Allequippa Street in the 5th Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 346:

Resolution granting unto FSN Management Inc. of Wexford, PA 15090, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sub-surface encroachment for a temporary shoring system, 22nd & 25th Wards, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 347:

Resolution Granting unto Alcoa Corporation, 201 Isabella Street, Pittsburgh, PA 15212, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a manhole for the purpose of refilling a diesel tank for their emergency generator, 22nd Ward, 1st Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 348:

Resolution Changing the name of The Hill Road between Bunker Hill Street and Washington Boulevard to One Wild Place in the 11th Ward 7th Council District, City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? If not, bills are now ready for final action; all in favor of the passage of the bills vote aye when your names are called; all those opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Ferlo

Mr. Hertzberg
Mr. Ricciardi
Mr. Onorato
Mr. Udin
Ms. McDonald
(Pres't Pro Tem)

AYES Seven NOES None

Bills having received the legally required number of votes are passed finally.

MR. ONORATO PRESENTED:

Bill No. 410:

Report of the Committee on Planning Zoning, and Land Use for April 29, 1998, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 349:

Resolution authorizing the City of Pittsburgh to submit a grant application to, and execute relevant agreements with the Pennsylvania Heritage Parks Program. The proposed application will request $15,000 for a feasibility study to focus on the opportunities and issues for extending the Steel Industry Heritage Trail to the intersection of Second Avenue and the north end of the Glenwood Bridge. The study will then explore the issues and opportunities for the trail to be extended across the bridge over the Monogahela River and address the challenge of connecting the trail at the south side of the Glenwood Bridge with the Three Rivers Heritage Trail.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? If not the bill is now ready for final action all in favor of the passage of the bill vote aye when your names are called, all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Hertzberg
Mr. Ricciardi
Mr. Ferlo
Mr. Onorato
Mr. Udin
Ms. McDonald
(Pres't Pro Tem)

AYES Seven NOES None

Bill having received the legally required number of votes is passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 411:

Report of the Committee on Housing, Economic Development and Promotion for April 29, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 329:

Resolution providing for an Agreement or Agreements and to provide administrative/operating expenses including, but not limited to, advertisements, supplies, equipment

rental, and other miscellaneous expenses associated with the administration of the HOPWA, at a cost not to exceed $463,000.00.

Which was read.

Also,

Bill No. 350:

Resolution taking, appropriating and condemning by the City of Pittsburgh, for public highway purposes, certain property in the 14th Ward of the City of Pittsburgh, owned by Stephen A. Neustein and Sharon S. Neustein, authorizing the payment of just compensation and necessary and incidental acquisition and relocation costs related thereto, and designating the Urban Redevelopment Authority of Pittsburgh as the City's acquisition agent. (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion?

Mr. Ricciardi:

Bill No. 329, Colleagues, several times at the table I have requested information along with other members exactly where the funding went in the past few years. That is, which organizations received the funding and what the funding was used for? We have received our second memorandum and unless any of my colleagues can correct me, still that information is not forthcoming. On that note, I would like to make a motion to recommit Bill 329.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

On this issue, since we have asked -- I think we explicitly asked the request, it was very clear. I would ask that the Jewish Health Care Foundation representative be at the table tomorrow along with the City Planning staff since maybe they know the answer to our question that we couldn't get from our own City department.

The Chair:

I would ask Ms. Johnson-Wasler please send some communication to have a representative at the table tomorrow.

Any other discussion on the remaining bill? If not, the bill is now ready for final action, all those in favor of the bill will vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro Tem)

(Mr. Ferlo abstained.)

Bill having received the legally

required number of votes and is passed finally.

MR. FERLO PRESENTED:

Bill No. 412:

Report of the Committee on Engineering and Construction for April 29, 1998, transmitting a sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 317:

Resolution providing for a Cooperation Agreement with the Port of Pittsburgh Commission for the city's share of costs for the Design and Construction of the Allegheny River North Shore Passenger Pier; and providing for the payment of the costs thereof, not to exceed $100,000.00 chargeable to and payable from Account 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2239102, Budget Year 1998.

Which was read.

Also,

Bill No. 320:

Resolution Further amending Resolution No. 838, effective January 1, 1998, entitled "Resolution adopting and approving the 1998 Capital Budget and the CDBG Program; and approving the 1998 - 2003 Capital Improvement Program" by amending the title of a line item (Queen Fleet Docking Site).

Which was read.

Also,

Bill No. 342:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, for the Renovation of Recreation Centers and Senior Citizen Centers; providing for the purchase of equipment and materials for said projects; and providing for the payment of the costs thereof, not to exceed $414,000.00 chargeable to and payable from the following:

Account 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project Grant 2243000, Budget Year 1998, Amount $414,000.00.

Which was read.

Also,

Bill No. 343:

Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the investigation, design, construction and/or remediation for critical slope failures throughout the City; and providing for the payment of the costs thereof, not to exceed $200,000.00 chargeable to and payable from the following:

Account 600000, Fund 5100, Org. 301000, Sub-Class, PGHPR, Project Grant 2239103, Budget Year 1998, Amount $200,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Hertzberg:

Thank you. Bill Number 342 I would like my comments brought forward including my frustration with not having a Senior Center in the West End during the past two years. The fact that the facility has still not been identified, that these funds are all going towards other centers. I realize they all need things but I am hopeful that next year we will see something for real in the West End and give them a Senior Center again.

The Chair:

Thank you, Councilman. Any other discussion? Bills are now ready for final action, all in favor of the passage of the bills will vote aye when there names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Ms. McDonald (Pres't Pro Tem)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

That completes our reports from standing committees. We will move to Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Madame President, I want to raise a couple of different issues. First of all, several weeks ago the administration appeared at the Planning Commission relative to the Home Depot construction project. Unfortunately not enough information was available not only to the public but more importantly to the Planning Commission.

I did meet with the administration this morning to review site plans specifically on the construction of the Home Depot including the actual rendering of the site, parking, ingress and egress, how the building will look, how it fits into the neighborhood retail corridor along Highland Avenue. I want to thank not only our administration but yourself and the East Liberty Development and others for their due diligence in the last several weeks.

Since the initial Public Hearing before Planning Commission, I want to just state very clearly that I hope this afternoon there is a continued Public Hearing at the Planning Commission. I am very supportive and pleased at what has transpired over the last several weeks. I was hoping that that would have been

done initially, it wasn't, that's irrelevant at this point, we need to move on.
I think the plans as presented would really move not only the Home Depot project ahead but really, really keep the over all progress of the commercial corridor of the East Liberty and Highland Park area of Highland Avenue.

So I am very supportive of the proposal that will be submitted this afternoon. There are still some tweaking that needs to go on and I would hope that the administration would move quickly to get not only that request before the Commission and back to Council but also actual legislation before the development area.

I am also pleased that and it's not unusual when it comes to other projects that have created a development zone. In this instance, there will be at least one, if not possibly more businesses, that may be able to be retained in the Home Depot corridor including Vento's Pizza, a viable business and a major stake holder in that corridor for many years who wants to continue to maintain and operate their successful business.

So I am very supportive this afternoon and I am hoping that the community will come out and support this initiative this afternoon at the Planning Commission. I have another unrelated matter.

The Chair:

I just wanted to thank you, Councilman Ferlo, for your diligence with this whole project. In fact, all Council members who share the East End corridor of the City of Pittsburgh. Councilman Cohen, Councilman O'Connor, for all of your vigilance in making sure that we do have a viable project within the East End.

I think it is going to be a major effort of revitalization. I look forward, Councilman Ferlo, to being with you. I will be there this afternoon at 2:00 to support and I would just ditto your remarks to urge the community that this is very vital. It is a good thing, we shouldn't let it pass, but we need to come together about it.

Mr. Ferlo:

I spoke briefly because there were so many speakers; we had to keep to three minutes. It is unusual for me to be at that podium in my own chambers, but I did speak before the Regional Asset District Board a few days ago and a lot of people came out to speak. Obviously it was once again a bully pulpit for opponents using public funds for the construction of stadiums and that was expected. But what concerns me and I am taking the unusual step of actually asking permission to formally read an open letter to the Rad Board.

The line of questioning and the comments made by Rad Board members, administration's response to some of those questions, and subsequent discussions I have had with certain members of the Rad Board, left me with a very uncomfortable feeling in my stomach right now about whether or not the Rad Board is going to support this so called Plan B? Now, I know how to count votes and judging from all that I have heard and listened to including some calls that I have received from Rad officials, it is far from assured at this point that there are the necessary votes

but the Rad Board to approve this deal.

I would like to respectfully be able to read this letter and I will try to be quick about it. It is an open letter to the Regional Asset District Board of Directors to the Chairman and members. It is from me.

Having attended the recent Public Hearing before your board regarding the Plan B proposal for funding our new and improved Convention Center and stadiums, I would like to recap a number of issues which time would not allow me to fully comment on given the large number of speakers at your hearing.

The Regional Asset District Board has quickly gained a reputation in the eyes of the public as a strong and accountable fiduciary. Please maintain this reputation as you review the administration's funding request. I did not support the Regional Renaissance Initiative because new taxes being raised would have primarily been directed towards the construction and financing of new sports facilities as opposed to providing property tax relief or funding vital public services. Also, the Regional Renaissance initiative vote this past November would have created an unelected and unaccountable authority which could have institutionalized debt and governance for decades to come.

Regardless of my earlier opposition, for the reasons stated, as an elected Councilman from the City of Pittsburgh, I am extremely supportive of utilizing valuable Regional Asset District dollars for so called Plan B as presented to the Rad Board. I have been a long time proponent of a new and improved Convention Center. This project will actually create jobs and income wealth for our City and region and represents quality growth for our communities and workers.

While I am less than thrilled about using public dollars to build stadiums that ideally should be paid for by wealthy sports and corporate interests, I believe that Plan B represents a well reasoned, prudent and legitimate response from the City and the County to the challenge of keeping major league sport teams here operating in our city. Although my own personal observation is that the deal out on the table would probably keep NFL Football here for decades, although I strongly believe because of the economics of baseball that major league baseball quite frankly despite Plan B may be around for five or six years but its future is still dubious. This plan would redirect and utilize existing tax revenues and would benefit our regions urban core.

In other words I think this proportionately is City efficient. I want my constituents to understand this when you look at the whole mix of the deal. It really disproportionately benefits the city and finally appreciates and returns investment to the urban core. I think that is an important thing that has swayed my opinion about the investment of Plan B dollars.

Now having said all that I am expressing a number of concerns to the Rad Board. I am specifically requesting that the Rad Board not give final affirmative approval unless and until the following happens. First of all, the Rad Board or its designated agents in conference with your own legal advisor should have every right to fully and unconditionally review all team owners revenues and financial records prior to any

affirmative vote on Plan B. This does not have to conflict with the owners proprietary rights. Team owners should expect this type of review no differently than if they were seeking bank financing.

In this sense, the public expects the Rad Board to fulfill their fiduciary role. I am making this comment because the administration made it seem to the Rad Board that they did not have a right. It was almost as if they were chastising the Rad Board for asking questions about the team owners' revenues and finances and that is going to be a deal breaker. If this Rad Board doesn't feel that for them to fulfill their fiduciary role they have a right to ask some very serious questions about team finances then I don't think the six votes are there. I think that is a very real issue that we should try to resolve. There are all kinds of proprietary deals that go on. I am sure Councilman Hertzberg as an attorney and a board member of the URA through the credit committee of the URA it is not unreasonable for this agency, the Rad agency, to ask very serious questions. They should be given the information.

Secondly, marketing and business plans must be reviewed by the Rad Board so that you can determine the appropriate extent of your financial support and how the Rad Funds will be utilized to insure the overall success of the proposed projects. For instance, the notion of a player tax is politically appealing but I do not believe it will withstand legal challenge. I cannot vote and the reference here is that we will be asked at some point in the local code of ordinances under earned income to support the notion of the player tax. I cannot vote for such an earned income tax if it includes tax in performers at the Benedum Theater or Heinz Hall for example.

I do credit the commissioners Dawida and Cranmer and Mayor Murphy for coming up here with a posturing placebo such as this but I would not count on this revenue for the overall financing package. I think it is something that has been put out there, it sounds great, it defuses some of the critic and opposition to this deal. But I really don't think the actual money that is being relied upon as part of this overall financing from the notion of a player tax is really going to fly. I just don't think it is going to happen. It is dubious at best.

Thirdly, the Rad Board should determine what the overall and true costs of Plan B are and render a judgment as to whether or not the $35 million Pirate investment and the proposed $50 million Steeler investment is enough to make the project succeed. I think it is very reasonable that the Rad Board know ahead of time prior to their commitment of their funds what the overall package is and how their dollars fit into the overall financing success of this project.

The Rad Board may want to guarantee indemnifying Rad from cost overruns and unexpected expenditures. The likely lack of player revenue coupled with the Rad Board not knowing the true and accurate up to date overall costs of Plan B raises serious concerns about the appropriateness of a final Rad vote until a vote of confidence until this other information is collected.

In addition to the player revenue tax issue there are ambiguous details about the outstanding financial obligation liability associated with the a number of things including the Allegheny Club lease and the lucrative parking lot lease with

Alcoa parking that extends several decades into the future. I would ask that you consider sending positive non-binding indication of likely Rad support only after you and the public receive legitimate answers to the important questions that I am raising.

Fourthly, I believe that you should seek an independent opinion from an accounting or financial services firm regarding the so-called Rad intercept creatively being used to float bonds. I noticed Mr. Miles Harrington showing up at the hearing again. The Rad intercept creatively being used to float bonds and remove the Regional Asset District from the legislative and operational oversight you provide for all the other funds that you have under the control.

In other words every single dollar that the Rad has dispensed for the last several years, they have direct control over monitoring oversight. In this case, we have $13.4 million that they are going to be creatively and legally intercepted somewhere else in order to guarantee the bonds there by basically removing the Regional Asset District bond of their oversight duties. It is questionable how that is happening legislatively.

It may make sense financially, but I am asking that the Rad Board find some way either through a cooperative agreement, a side bar agreement, or even possibly asking that the Rad Board have an elected representative on the Public Auditorium Authority which now is going to be the authority that is going to do the stadium deal. We will no longer actually have a Stadium Authority. I am asking that the Board not give up and should maintain oversight on these dollars.

I will try to close. I have a couple of other brief points. I believe that the Rad Board should maintain this fiduciary function as part of the legal and legislative mandate. In an effort to ensure that the Rad Board remains aware of all transactions involving Rad money. I suggest that the Public Auditorium Authority Board be expanded to include a member of the Rad Board.

Fifth, I would request that the Rad Board issue some type of policy statement or assurance letter explaining the Rad Board's ongoing commitment to annual funding for the various cultural and destination amenities currently relying on funding of the Rad.

There were serious questions raised by Rad Board members about whether or not funds would be available in the future under the Rad Funding and whether or not funding that $13.4 funding for the Stadium and Convention Center would at some point jeopardize the funding currently being received by the cultural groups. I appreciate the Mayor's leadership on this and meeting separately with the cultural institutions, but I think the Rad Board has to make a policy statement about this and give some assurance to the public.

Sixth, I believe that the Rad Board should be more fully apprised of the master plan goals and needs of the Science Center. Since you are a vital part of their current and future existence, I hope that the financial investment that we have made in the Science Center would be protected and that we look towards its future growth and expansion.

I am asking that the Rad Board meet with the officials of the Science

Center prior to final action on Plan B. It seems as though the Science Center is developing into the ugly stepchild here as it relates to the whole host of activity and potential destination activity that may happen along the north shore corridor. We have a multimillion-dollar investment in the Science Center and I would like the Rad Board as part of its overall thinking to review this issue.

I will close with point number seven. I would ask that they refer to my earlier Rad letter where I reiterate my request and Council's request, about if the stadiums are built that appropriate numbers of seats be available in advance for general purchase by the Steeler fans and the Pirate fans. This can be done without in any way jeopardizing the NFL televising of games, which I certainly would not want to do in any way.

So I would respectfully submit that letter to my colleagues and to the public I do feel responsibility as an opponent of their last RRI vote and now a proponent of Plan B to at least stipulate and clarify my position.

Mr. Diven:

I too spent some time in the Regional Asset Districts Public Hearing the other night. I was in here until well past 9:00. I got to listen to a lot of the testimony. One of things that disturbed me in regards to this meeting was some of the questions that Council had asked in the Plan B briefings where we didn't get the same kind of responses were answered by the economic team that went in front of the Rad Board.

One of the questions was regarding the teams match, how that would be broken down. They came out and made the statement that that would be from future revenues including the naming rights and the poring rights and that was a question we asked in the briefings. The Mayor and the Commissioners both said that is something we are negotiating, we don't know yet. But when the Rad Board asked, all of a sudden they decided to forthright with information. That was something that disturbed me.

Additionally, one thing that was brought up in that meeting that raised another concern for me in regards to this is are we spreading ourselves too thin? I think everybody is for development, everybody is for improving our region, everybody is for making substantial investments, but what are the future implications on both the City and the County? The question that I was referring to and the way I understood it, now I might be wrong in how I understood it was. If the Rad currently gives $10 million for operating deficits for the stadium and that money is going to be added to the $3.4 million for development, who is going to be on the hook for any operational deficits in the future? From what the economic team that the Mayor put together stated at that meeting, in my understanding, was that the City and the County would be on the hook for any operational deficits. Which looking at and talking with our Budget Director the fact that in 1999 we might start out the year with a $25 million deficit, are we going to be in a position where we can assume a liability that is going to last for 30 years? Especially when we are already currently giving $10 million to the stadium.

So, these are questions that we

should have had answered in our Plan B briefings, but because they weren't yes 100% and all pro-stadiums for whatever reason, that information was never disclosed to us. Now when they went in front of the Rad Board they were very forthright with that information. I think when we have our Plan B meetings they shouldn't be a dog and pony show. They should be information that Council should be privy to, so that we can be part of working to provide solutions. If we are going to do this development and we are going to make this substantial investment, that the City of Pittsburgh doesn't get left on the hook for millions of dollars and debt that are going to be created by this. Especially if there is some way through Council's help and through working together we can find a way of making sure that debt is pared down to the lowest possible number.

That was one of the concerns that I had in attending this meeting is that we weren't getting the complete picture. I think in our future Plan B briefings in the Mayor's Conference Room that we should encourage them to be honest and forthright with information to make sure that if we are going to make a decision, we are going to make a decision based on all the facts and all the future implications.

The Chair:

Thank you. Any other discussion on this matter?

Mr. Onorato:

What I want to talk about isn't as sexy as Plan B, isn't nearly as big as Plan B, and doesn't have the attention of the administration as Plan B. It has to do with the cancer that is eating away at our neighborhoods and slowly destroying the quality of life in the City of Pittsburgh. It's another disturbing decision out of our distinguished Zoning Board of adjustments. This is another example of why I want them in front of us for the confirmation proceedings.

I have to bring this to my colleagues attention, I would ask that you please listen and take this very seriously before you cast a yes vote on any of these members to be re-appointed or at least to hold the hearings back further until we get answers.

Colleagues, if you remember about two years ago, now Mr. Diven, you weren't here, we had a controversy debate here. It was conditional use discussion of a senior citizens high rise in Brighton Heights. I was caught in the middle of a neighborhood that was split 50/50. It took me a long time to come to the conclusion but we worked out a compromise. This Council, following my lead and I thank them, we gave approval of a conditional use for a high rise of 41 units in an R-1 District with three conditions. The high rise was built, it is up, but the major opposition came from the residents that lived on the street because they had the biggest impact of this building.

Well bringing us up to the future, there was hearing in front of the Zoning Board of Adjustment back on February 26, 1998 of a property directly acrossed the street from the high rise in this R-1 District. This woman wanted to open up a childcare center, home occupancy of six children.

Well the residents naturally came

to me and said, Dan, you promised us you would help to protect the integrity of this street, and they are the ones that opposed the high rise. I said you're right, I will go to the hearing with you and explain what we agreed to in the compromise, the impact of the high rise on the street and we will put that forward.

I gave testimony; I explained what this Council debated. I explained how we changed the character of the street to put seniors on the corner of this particular intersection and adding now another type of use, a home occupation known as a Daycare for six children was just putting too much on this corner in an R-1 District. I put the facts out.

Well the Zoning Board of Adjustment not only did they ignore me and the residents that showed up, but I was listed in their decision as an observer and none of my testimony made the record. It's not even in here. I am listed as an observer. The only record here is from the woman applying for it and the residents opposing it. Dan Onorato, Councilman, was an observer. I was there in opposition. I made it very clear. I put my testimony in as opposition trying to explain legally why this should be rejected; it is a special exception request. It was totally ignored; it was not part of the record.

Now to show you how outrageous this decision was, in addition to the high rise that was put there, in addition to the facts that we presented, this house is a duplex where they're putting this. It has a party wall, it is a duplex. They ignored that. Six children are going to go in there. It has shared steps going up to the duplex. These children go on the steps' the other person could be liable if the children fall on them. They have a shared entranceway, they have a shared porch that is separated by some lattice work, this building. This was all brought out. It was ignored.

This is actually in the record. It goes on the person applying for it testified that and it is in the record here, the children spend most of the day in the attic. That is where the childcare is going to be, the childcare center, in the attic. This building sits on a terrace and has three stories. That is where she is going to put the children. This is part of the record. I am reading from the record now, from the Zoning Board.

They are going to be dropped off in the rear yard, which right now is shared and the applicant says we will put a fence up to make sure the kids don't run acrossed the yard into the neighbors yard of the duplex. They talked about there should be no detrimental impact or changing the character of the neighborhood. They obviously totally ignored that. We talked about the common walkway. The common steps, but here is what really frustrates me.

The conclusion of law, and they quote some cases here. Where it says, however, I am summarizing here, no exception may be granted if any of the following findings are made and it has one through six. The very first one says that the establishment's maintenance and location and operation of the proposed use will be detrimental to or endanger the public health, safety, morals comfort or general welfare.

We gave enough evidence to show why this was one time and should be rejected. They don't always have to

approve every special exception. Yet they totally ignored it. I am not even part of the record. The next one goes on to say that the proposed use will be injurious to the use and the enjoyment of other properties in the immediate vicinity. What about the owner of the duplex right next door to start there? For the purpose permitted nor substantially diminish or impair property values within the neighborhood.

Now in the last three years, this City has put a 41 unit senior citizen high rise and now a daycare center acrossed the street in an R-1 District. We are telling them this is not detrimental or have a value impact on your street. Remember, R-1, the adequate utilities blah, blah, blah, and it goes on and on it probably violated at least four out of the six requirements here.

They totally ignored it. If they are going to come in front of me and think I am going to rubber stamp another four years to sit on the Zoning Board, when I got the classic example to show that something is wrong here, I don't know why this was approved. I don't know if it is because it happened on the North Side, in the 27th ward, and these three individuals might have only seen this neighborhood through a map or maybe through the North Side Story, have never been over there. But they have to understand an R-1 in the 27th Ward of Brighton Heights is just as important as an R-1 in the 14th Ward or in the 8th Ward or where ever it might be in the City. Every one of our wards is valuable.

We have a zoning code to protect it. I have to publicly now to the four individuals that showed up that I went with and the other residents I want to offer you my public apology. I gave you my word the City of Pittsburgh would stand up to the safeguards that we put in place. The zoning Board of Adjustment ignored it. I have to apologize on behalf of the City.

They have detrimentally impacted your neighborhood. If you want to sue I will do anything I can to help provide some money for the attorney to sue the decision. If the Mayor is listening, I would ask him to possibly withdraw all three names from being resubmitted from the Zoning Board or to hold them until this issue gets resolved. This is a disgrace.

Mayor Murphy, I am asking to work with you. This is not to embarrass any of the three individuals being nominated. But they have to know that while I respect their independence, now they have to respect mine. They are up for confirmation I think they have been derelict in their duty on this particular case. I think there are a few other ones I can bring forward. I don't think they have earned another term. I like them, they are nice people, but they have definitely hurt a major street in my district after we presented fair evidence and they ignored the law and they decided to approve it anyway.

I would like to know why and I would like to get an answer from the Director, which happens to be my department of Planning why I am considered an observer? Is that something that all elected officials are considered? Why my testimony is not part of the record yet the other individuals opposing were and what is going on here? I want to know what happened here?

Until we get those answers, I am asking my colleagues at the minimal to hold off on the vote. Do not confirm these three individuals until we get a control of this system. Because no matter how often we debate or how much we want to talk about the zoning code being changed, it means nothing if we don't enforce it or live up to what the words in the code say. Obviously they mean nothing in this particular case.

The Chair:

To Councilman Onorato I would hope that -- I am sure your phone is ringing as we speak trying to get in touch with you. If their prudent, I would hope that you would report back to all colleagues, myself included, as to why they granted this special exception and how some kind of snafu that happened that your testimony was not part of the record. If you can report back to us, so that we can make an informed decision once these appointments are brought before the body.

Mr. Ferlo:

I want to comment specifically on Councilman Onorato's leadership and observation about his own particular testimony relative to this case. I will defer to his opinion on that. I do want to go back and defend the original ordinances not only bed and breakfast, but also zoning code amendments which I offered regarding the allowance of appropriate child daycare in residential neighborhoods, child and/or family daycare.

Secondly, I presume that my colleague, Councilman Onorato, is going to spend a lengthy amount of time when we are interviewing. I don't know if that's tomorrow necessarily or when the Zoning Board Members are coming in? But if we are going to get into a whole laundry list of specific cases or issues, I would ask that the Zoning Administer, Mr. Brown, and Planning Director and others from the Mayor's Office be here.

I don't think it's fair. There are thousands of cases that the Zoning Board renders a decision on good, bad, or indifferently. I am in no way suggesting that we shouldn't discuss specific cases if that's what the Councilman wants to do. If we are going to do it, let's have it in a full context of overall decisions that they make. I don't know if that can happen just with the three individuals. If we are going to have a lengthy discussion, we may want to just schedule a separate meeting on this. I don't understand how we are going to do this.

Mr. Onorato:

Mr. Ferlo, I just want to point out in no way does my comments suggest or should anyone think that I am bringing forward an amendment to the Zoning Code, I think what we have in there for home occupancy and for childcare is actually good. I think it was ignored. I think the safe guards are in the code. It is a good code and I support what's in there, but it is being ignored. That's my concern. I think these three should be held separately for a confirmation hearing. I think that's a good suggestion.

The Chair:

As a point of information, the City Clerk has just informed me to announce that of the three appointments Mr. Jesse Fife, Mr. Clifford Levine will be before

the Council body tomorrow for an interview. That is pending confirmation. Mr. Regis Murrin is the Chair of the Zoning Board of Adjustment, but he will not be before the body for interviewing until next Wednesday, the 13th.

Mr. Ferlo:

My only suggestion in light of Councilman Onorato's concern and he has every prerogative and right to do whatever he wants to do during appointment process or reappointment process, I think we should interview all three together. Especially since often times two of them are involved in actually the legal decision rendering for the board.

So we are going to have like a two-hour discussion with two of them tomorrow, only to return to the same two-hour discussion with the Chairman. Maybe even if we have to wait another week in light of the concerns that are being raised, I think, we will have a more coherent and productive interview if we can get all three there together with the other related parties I have suggested.

Mr. Cohen:

Just an add on. I agree with that especially given that the Chair will not be present. It certainly would be helpful to have the Chair there at the same time. If Councilman Onorato, and obviously he raises some very important points for his community, if he would, with his indulgence, I think, we should have all three together.

The Chair:

What is the pleasure of the body? Should we interview all three next Wednesday May 13?

Mr. Onorato:

Maybe we can work with Councilman Udin who will be chairing the meeting if that's okay with him.

The Chair:

I am sure it will be. Thank you. Then to the City Clerk we will communicate to Mr. Fife and Mr. Lavine that we will not be interviewing them tomorrow but it will be postponed until next Wednesday when we can interview all three.

Thank you. Are there any other matters under motions and resolutions?

I do want to say personally myself that I commend Councilman Ferlo for a lot of the input that he has had with this Plan B. They have been some very good points and it has been on behalf of people. It makes common sense and as far as the Rad funding some of my best thoughts are at two in the morning, I wake up and say yeah it's a good idea. But the $13.4 million is a concern now for me.

I have no problem shifting because we allocate $10 million a year to do whatever operating budget; it is basically to take some of that off our shoulders. Personally I don't care, but it is the extra $3.4 million that concerns me that is supposedly a guaranteed increase in revenue.

I would prefer instead of that 13.4 set in stone right now that they evaluate all the different recipients of funding and the

percent of the pie that they get. Any increase in revenue should be in proportion to the existing ratios of funding of the other groups. I am concerned that the $3.4 million maybe the total increase in revenue and technically with the growth of this region you are actually short changing the other groups that are being funded and preferenced to the stadium. It just isn't fair.

If there is going to be an increase in the pie, everyone should benefit in the increase of the pie as Councilman Ferlo has stated. But that was a concern of mine after the Rad Board hearing. I wasn't privy to the hearing, I didn't attend, but it is a concern that I know I personally will bring out. It is not to shortchange the other groups. If there is going to be an increase, fine, they can get an increase and that can be part of the capitalization pot of money, but not in disproportionately to the other groups. I think that is only fair and that is my concern that the other groups never suffer.

Are there any other comments? Thank you. Will someone please make a motion to excuse the absent member?

MR. ONORATO moved to excuse the absent member.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. COHEN moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. COHEN moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion of Mr. Cohen, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill No. 342 can be found in the Standing Committee Meeting Minutes of April 29, 1998.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *May 12, 1998* *No. 19*

Municipal Record

ONE-HUNDRED
TWENTY-NINTH COUNCIL

BOB O'CONNOR..... President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, May 12, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor (Pres't)**
Ms. McDonald	

The Chair:

All please stand for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

Today we are honored to have Kevin Flaherty. He is eleven years old. He's in the sixth grade at South Hills Middle School and he is a First Class Boy Scout. He is accompanied by his mother Maureen, and he lives in Councilman Diven's District, District 4.

Kevin Flaherty:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God indivisible with liberty and justice for all.

The Chair:

Kevin, we have a flag of our City and Country we would like to give to you.

We have some special guests today.

PRESENTATIONS

Mr. Diven:

First of all, I would like to welcome our President back from Japan. It is good to have you back.

I would like to call up Earl Jones. He's the Chairman of Peace on Earth Campaign and he has some people he would like to bring up with him.

Today we are going to present a proclamation honoring winners of the Peace on Earth Campaign that went out to the school districts, both the public schools and parochial schools. I will let Mr. Jones talk to you more about some of the history of his work. But I will read the proclamation now.

MR. DIVEN AND ALL COUNCIL MEMBERS PRESENT:

No. 413 WHEREAS, it is an honor and a privilege to acknowledge the school children in our city who participated in "The 1998 World Peace Contest" by writing essays, submitting creative writing pieces, or submitting artwork addressing the theme "What Can Each of Us Do To Promote Peace on Earth in Our Community"; and

WHEREAS, the twenty students whose artwork, creative writing pieces or essays were chosen as the winners of this year's "World Peace Contest" will appear before the Council of the City of Pittsburgh to be honored by this legislative body and representatives of all branches of the Pittsburgh Public Safety Department including the Police, Firefighters, Paramedics, 911 Staff and Building Inspectors; and

WHEREAS, the twenty students from the Pittsburgh Public Schools and the Diocese of Pittsburgh who have been selected as first place winners in each category will receive $100 Savings Bonds donated by National City; and

WHEREAS, Mr. Earl V. Jones, Sr. who spearheaded this entire project was assisted in his efforts by Dr. Raymond B. McClain and Dr. Ronald T. Bowes and by the late Patrick McNamara, who was a co-founder of the Peace Contest.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends all of the students who participated in the 1998 World Peace Contest for their efforts and supports your efforts in the thousands of dollars in prizes given to the children on June 30, 1998.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the month of June, 1998, as "World Peace Month" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to invite Mr. Jones up to give you some background on the World Peace campaign that he's been working on for a number of years.

Mr. Jones:

It's an honor to be here today. I would like to thank our Mayor and his staff for making so many things possible. President Bob O'Connor, the members of his staff, and the Council members and their staff because this is an all out effort and an all out team. It is not one person taking the reigns because without these gentlemen this wouldn't happen. Every time I didn't have an answer I would have to turn to one of them and say what do we do and within a couple of minutes they would come back and say this is the way it will work and it has worked.

This campaign has reached millions of people. It has went into Russia, it gave me the opportunity to present one of my peace flags to the President of the United States at the Peace

Summit, also give medals to the Russian President. It is overwhelming what you have when you form a solid force. When I talked to Councilman Diven I expressed our top priority is trying to achieve peace on earth, family values. We both agreed on all three subjects even are Public Safety Department was doing a wonderful job.

What I would like to do is bring up some of these gentlemen for a few words and come back and tell you about a contest that these people have made possible. In the past all of the Council people have helped me and I could never thank them enough. So I will bring up some of the people here today.

Mr. Selinsky:

Good morning. My name is E. Charles Selinsky. Mr. President, distinguished Council members, citizens and guests, on behalf of Franklin St. Johns Trinity Lodge Number 221 Free and Accepted Masons of Pennsylvania, the members and their families would like to thank the City for this proclamation and recognition of the Peace on Earth Campaign. Seldom, in the life of a public or private service, are we given an opportunity to positively display to our youth our need to recognize their thoughts, ideas, and solutions to issues facing the every day decisions of every day decisions political leaders friends and foes.

Youth from which we all can recall possess an unearthly power to see light where darkness may prevail. Their energy and unbridled assertiveness are absolutes to all forms of government, business and education. In recognizing and giving the proclamation to the Peace on Earth Campaign, the City of Pittsburgh in its future foundation is continuing to show the world in our governing bodies that we remain visionary to the values of our God, our family, and the sound government for and by the people. With this in mind, it is with great pleasure for Franklin St. John's Trinity Lodge Number 221 Free and Accepted Masons of Pennsylvania, to recognize and support this proclamation of Peace on Earth, its foundations and its achievements.

Thank you for the time, and may we all continue to recognize our youth, their ideas, abilities and health.

Mr. Kane:

Good morning everybody. My name is Charles Kane and I am the President of the Pittsburgh Chapter of the Knights of Columbus. Being the President of the Pittsburgh Chapter consists of 40 different counsels with a membership of approximately 5800 people. We are wholly behind Brother Jones in his fight for Peace on Earth. One of the greatest things that we could do to help this country get ahead. Our City of Pittsburgh has made such great strides in the past few years that out of towners are surprised. We recently held a convention of the Supreme Officers of the Knights of Columbus in Pittsburgh and they were amazed at the City of Pittsburgh's fine restaurants, a lot of things to see, and we are really proud to be a part of this campaign. Thank you for your attention.

Mr. Delaney:

I am Tom Delaney also a member of the Knights of Columbus. We appreciate the opportunity to participate in such a wonderful program that Earl has

started and is continuing to start. We thank you for all your cooperation.

Mr. Bolden:

Good morning. First giving honor to God, to all delegates of this great nation and the United States of America. From International Masons I am just District Deputy Grand Master, State of Pennsylvania, I would like to congratulate Mr. Jones for doing a fine job and to the strengthening of the community ties in adult and children; very fine job.

To this scout here, a scout is trustworthy, loyal, helpful, (inaudible), courteous, kind, obedient, cheerful, thrifty, brave, clean and (inaudible). Am I right? Anything that I can do to help, it will be more than a pleasure from the International Masons. Thank you and may God bless you.

Mr. Speaker:

Good morning, members of Council, people, I have been associated with Earl since we got started a few years ago. Although I am with a memorial, Earl had a garden down in the Hazelwood area when we first started and he put out three stars, red white and blue. It stood for the firemen, the police, and the paramedics. We had a Christmas give away program and it was for the kids. This is what it's all about. Because with our youth is our future.

I am also involved in Scouting and when I see this young man here this morning I was very proud. I have been 25 years with the Scouts and my son is an Eagle Scout and that's your next step, son. Congratulations.

Mr. Hines:

Mr. Chairman, members of Council, thank you for letting me speak today. I am Marshall Hines, Smokey Hines, I am here representing the Fraternal Order of Police, and the police officers in the City of Pittsburgh and throughout this area. Programs such as the Peace on Earth Program are very positive. They present a positive program to the community. One of the things that I have found in my somewhat brief tenure of President of the Fraternal Order of Police was a tremendous lack of communication, lack of positive role models between the police and the community.

Earl presents a positive role model for the members of the community. We in the police department are trying to do the same thing. Last Saturday we had a program down at the Point, it was police and citizens together. One of your Councilmen should be recognized here, as well as myself, we spent some time in the dunk tank. That had to be the coldest day of my life. We did that trying to show that we are reaching out to the community and to let the community know that we are trying to help. When I was up there I had a lot of friends come up there, and I had some people that I think wanted to throw some tomatoes at me, but that wasn't permitted.

We should continue programs of this type. The end result is there will be a better relationship between the police, the Public Safety Committee and the community and that is a positive thing. Thank you very much.

Dr. McClain:

Good morning, Council members, Mr. President, it is nice to come before you once again about Peace on Earth. We have been doing this for four or five years. The list of participants is growing. It's wonderful to see that kind of support that you all provide for us.

I just want to give you a little background on some recent information that you might find illuminating. It will either reinforce what you already know or help give you a little focus around on public safety. This March we had a team forum at Peabody High School. Organizing that was spearheaded by the community agencies out there particularly the Garfield Jubilee. These agencies wanted to know what young people were thinking about, what they can see as their biggest problems.

So in February, I sent out a lesson plan to every secondary social studies teacher in Pittsburgh and that plan said ask your students what their top five concerns are. Don't tell them what those concerns are supposed to be, do a brainstorming session, send all your wild data back to me. That was ten, to 12,000 students giving input. The number one cause, Public Safety issues. Teen pregnancy, recreation, substance abuse, economic opportunities were all down the list, but that was number one. Can we be safe in our schools, our neighborhoods and our communities? So certainly this brings peace on earth home to us.

I want to thank President O'Connor for being on the panel along with the Mayor, at the team forum exchanging ideas, and a number of you Council members came. I really appreciate your input. So Peace on Earth has to start in the community. It has to start in the neighborhood; it has to start with every individual as we know the song says.

We have been doing a number of things over the years. I have interacted with some of you and I am really appreciative of your past support. One of the things we have been doing in the schools that you all helped with were the You and The Police Rights and Responsibilities. Every student in the middle and high school in Pittsburgh is getting one of these over the next two to three weeks. So when they do have any interactions with the police and now that the weather has warmed up and over the summer hopefully they will be positive interactions. I want to give these to the secretary and hopefully you will get a copy of those.

Thanks to your cooperation we had 30,000 of those printed and they will be distributed to every student grade six through 12. Those are the kinds of things we want to work with you on to make our kids have a more positive experience and interact in a positive way with our police officers. When it comes to thank you's, Dr. Bose couldn't be here today, Ron and I have known each other for 25 years. He taught in the Pittsburgh schools for a number of years. He will be here later in the week to do what I am going to do now and when I thank everybody and I hope I don't leave anybody out.

First and foremost, and I am going to ask Ron to take care of this, I think Earl Jones should be conferred with Sainthood the man, that's something the Diocese is going to have to take on. Maybe they can handle that. Nobody has been more important and more useful and more

helpful and constantly out there than Earl Jones has. I thank him very much for that. It is nice to see the group getting bigger and more diverse. The Knights of Columbus, the Masons, the Police Memorial Group, of course National City Bank and the entire Public Safety Department. On behalf of the school district of Pittsburgh and our 40,000 students, I thank you all very much. Thank you.

Mr. Jones:

I would just like to say there is more to this. We are going to take over the lobby in June and put up a display. In this display, in the lobby I think we will hold it, we are going to have a drawing. The first drawing is a green slip for 80,000 children to get involved to win prizes, to win bicycles and other prizes. The second prize will be a contest for the people working in this building for part time to win a display from Tom Flaherty; it is an outdoor display. Here is one that maybe some of you women would like to join here is a prize for newlyweds. All you have to do is get married in the first three weeks in June and come back you will win from the Westin William Penn a Bridal Suite, $100 for a meal, two limousines. They are Point Park limousines, so that means they are bikes.

I just hope that some of you younger people remember when I went to school I never got a star on my forehead, what I did learn is always stay around intelligent people like these gentlemen here where you get an answer. You will never go wrong. Thank you very much.

Mr. Diven:

I would like to commend Mr. Jones. I think you put together a fantastic team. I think we are all working solidly behind you. I think the goal is noble. It is going to take a lot of work to achieve but I think that the rest of City Council is in agreement that that is something we are willing to work with you on.

Mr. Jones:

I gave you the team; the ball is in your corner.

The Chair:

Thank you all very much for coming down and all the hard work you do.

Mr. Cohen:

Folks from American Lung Association please come up. Members of Council and members of the audience, it is my distinct pleasure to present this proclamation along with Councilwoman McDonald and Councilman Ferlo, all of whom represent Friendship and part of this of course, is the program at Friendship School. So, we are very happy to have you representatives from the American Lung Association here to present this proclamation.

MR. COHEN, MS. MCDONALD, AND MR. FERLO PRESENT:

No. 414 WHEREAS, the American Lung Association was originally founded in 1904 to fight tuberculosis; and

WHEREAS, today, the purpose of the American Lung Association is to

promote lung health and the prevention of respiratory disease; and

WHEREAS, the American Lung Association of Western Pennsylvania serves a ten-county area including Allegheny, Armstrong, Beaver, Butler, Fayette, Green, Indiana, Lawrence, Washington, and Westmoreland counties; and

WHEREAS, the services to patients provides adults with chronic obstructive pulmonary disease with a range of services including the Breathing Partners support group, cold weather masks, an award-winning manual for coping with lung disease, and emergency assistance with medications, oxygen, and breathing equipment; and

WHEREAS, the American Lung Association provides a daily source of information to both the general public and professionals and provides a support system for Parents of Children With Asthma (POCWA) as well as an established smoking cessation program; and

WHEREAS, on Tuesday, May 19, 1998 an educational program at Friendship Elementary School called "My Friend Has Asthma" will be presented to remind residents that healthy lungs last a lifetime.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The American Lung Association of Western Pennsylvania and the UPMC St. Margaret Hospital Joint Health Partnership on their "My Friend Has Asthma" program and declares the month of May, 1998 as "Breathe Easy" month in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Cohen:

I think a lot of us take for granted our ability to breathe out and breathe in so easily. People with asthma and other respiratory diseases don't have that easy ability to breathe and certainly don't take it for granted. An organization that doesn't take it granted is the American Lung Association. I would like to introduce three representatives that we have here today.

We have Jeannie Simms who is the Field Program Director of the American Lung Association for Western Pennsylvania, Debroah Hojonski who is the Community Relations person for the ALA and also we have Dr. Patricia Klatt at UPMC St. Margaret Joint Health Partnership. Thank you all for being here. Who would like to speak?

Ms. Simms:

Thank you very much. Good morning, Council members, Mr. President. On behalf of the American Lung Association of Western Pennsylvania, the Christmas Seal people and also the UPMC, St. Margaret Joint School Health Partnership, we want to thank you for this proclamation. This proclamation helps to acknowledge the importance of asthma awareness and education in our Pittsburgh

Public Schools.

Our asthma awareness day at Friendship Elementary on May 19 will be an innovative approach. We are going to be working with not only the students with asthma, but their peers and their teachers. It's going to help demonstrate how community networking can make a difference and bring about a positive change. A positive change in reducing emergency trips made to the schools by ambulances and also hopefully reduce school absences related to asthma.

So we said earlier that we have agencies thinking about breathing in and out, but I think you demonstrated today that we are all on a positive track. I would like to introduce Dr. Klatt, who would like to thank some of the people involved with the project.

Dr. Klatt:

Good morning, Mr. President, Council members, the people. We are truly grateful to have the opportunity to be here today. But particularly to have the opportunity to work on this pilot project that we started through the Saint Margaret Joint School Health Partnership. Every member of that committee has been devoted and supportive of our efforts to increase asthma awareness in our communities and in our schools. The founder of that committee is Dr. Ann McGaffey also a member of UPNC St. Margaret Family Practice Residency like myself.

We have tried to do numerous educational experiences in the schools for the children and have had the privilege of working with Jeannie from the American Lung Association to pilot this Breathe Easy Program through Friendship Elementary School. Our asthma Awareness Day is going to be an all day event for all the children in the school. We are going to have our residents from Saint Margaret. nurses. the school nurse at Friendship also has been a great help to us, Ginny Allison, without these people none of this project would be possible.

I would also like to mention that this is just the beginning. We have so many ideas and are excited about what we can do to improve the management of this disease that is the common, chronic disease of childhood in the schools and in their homes. Thank you again.

Ms. Hojonski:

I want to take this opportunity to thank all the members of Council for supporting us and what we have called May being Breath Easy Month here in Western Pennsylvania. As Councilman Cohen referred to asthma as one of the things that breathing, as one of the things that we take for granted, the American Lung Association has been fighting the cause of respiratory health in Western Pennsylvania for over 90 years.

As the proclamation reads, our history began with treating tuberculosis. We today would like to invite anyone who knows a family member who has lung disease to contact us and to support our effort here in Western Pennsylvania as Council has done in supporting Breath Easy Month and My Friend Has Asthma Day at Friendship School.

We are looking forward to more partnerships with the City of Pittsburgh

Schools. Today I would like to offer to each of the sponsors of the proclamation a limited edition of our Camp Breathe Easy T-shirt that they can wear with pride since they have helped us in our battle against asthma. Camp Breathe Easy is a day camp that we offer in each of the ten counties that we serve and we also have a sleep a way camp called Camp Huff and Puff. Thank you again.

Mr. Cohen:

Thank you very much for the T-shirt. We appreciate it. Councilwoman McDonald or Councilman Ferlo you want to say a few words?

Ms. McDonald:

I want to commend you all for your efforts. Often times we take the American Lung Association and all the initiatives that happen year after year after year and we forget about the American Lung Association, because it's been around for a long time, so you are definitely needed.

I have lived through asthma, not myself personally but experienced someone who did have asthma. I think that people would really have a wake up call when they see a young child that could be in Friendship Elementary School after an exercise or after a fit of anxiety turn blue. So again the association is definitely needed.

I commend you and thank you for being in the Friendship School, which includes my Council District and thank you for the T-shirt. I am sorry you all didn't get one.

Mr. Ferlo:

I only have a street and a half in Friendship, and I am honored to lend my co-sponsorship to Councilman Cohen's proclamation here today. I think we can be proud in the City of Pittsburgh. We are so proud to have so many different health care advocacy organizations, and certainly the Lung Association has had a decades long history of not only effective advocacy on issues of their concern, but also direct service.

I think we have learned from efforts that anti-smoking at the bike helmet initiative we sponsored along with even the recycling that often times the best way to reach older people is actually educating the younger people. There is no better way to do that than the direct outreach effort by the Lung Association and UPMC Saint Margaret's into the Friendship School area. So I applaud the initiative, I think we can show demonstratively that it is an effective way to do good quality out reach to have an impact. I especially want to thank UPMC St. Margaret's to have extensive ties in my own Council Districts throughout the Lawrenceville, Garfield and Polish Hill Community, in particular.

I think it is really important that we recognize a significant change in some of the hospital-based care, with more of an emphasis over the last many years at direct out reach and preventive and primary care. I want to thank UPMC for their work and St. Margaret's particularly in the Garfield community. We are looking at the possibility of expanding those services at potentially the old Stanton Heights Shopping Center site. That is certainly something the community should begin to discuss and debate so together with both of you, I just want to thank you very much.

Mr. Cohen:

Thank you again very much for coming down. There is one other person I would like to thank and that is Terri Jobkar for preparing this proclamation.

Mr. Ricciardi:

Honored guests please come forward and colleagues. We have with us Jennie Knox Brown, President of the Beltzhoover CDC, Ethel Orme, Lester Orme, Henry Lucas. I know Councilman Ferlo is dear friends and very respective to Henry Lucas.

MR. RICCIARDI PRESENTS:

No. 415 Whereas, in response to declining housing stock, an eroding business base and loss of jobs and activities for the youth of the Beltzhoover neighborhood, the Beltzhoover Citizens Community Development Corporation (BCCDC) was incorporated on September 19, 1988; and,

Whereas, the Beltzhoover Citizens Community Development Corporation is comprised of recent and long time residents of the Beltzhoover community who are committed to an aggressive approach to solving Beltzhoover's problems; and,

Whereas, since its inception, the Beltzhoover Citizens Community Development Corporation has accomplished a number of projects to help stabilize the Beltzhoover neighborhood. Among the projects are the Delmont/Cedarhurst Project (3 stick-built houses), a Delmont Street house rehabilitation, 2 Chalfont Street houses rehabilitated, Pittsburgh's first modular home for the physically challenged and the Climax Street Task Force, a group determined to make Climax Street more attractive, safer, cleaner, and more livable; and,

Whereas, the Beltzhoover Citizens Community Development Corporation is currently working on 29 Sylvania Place, a 23 unit elderly housing project, and hopes to build 15 to 17 new homes, rehab an existing structure to house a health facility, COP station, and the offices of the BCCDC, and apply for funds to build a multi-unit dwelling for the physically challenged; and,

Whereas, the Beltzhoover Citizens Community Development Corporation consists of Jennie Knox Brown, President, Lester Orme, Vice President, Constance Wellons, Secretary, Deborah Anthony, Treasurer, Leonard Brown, Ulna Calloway, Ron Green, Henry Lucas, Roland Lucas, Ethel Orme and Sherman Wellons; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates the Beltzhoover Citizens Community Development Corporation on 10 years of service to the Beltzhoover neighborhood and declares Thursday, May 14, 1998 Beltzhoover Citizens Community Development Corporation Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. I am very honored to give this resolution today. Matter of fact, just a few minutes ago I was talking to my staff Denise Wilson and Bill Fry and I was saying this group has so many accomplishments. They have labored for so many years and they have so many other goals that they want to accomplish. They do it so quietly and so professionally and so low key.

Matter of fact their current project that the Beltzhoover Community is working on, the 23 units for the elderly, as everyone knows it's the 201 funds and they are very competitive not just in the City of Pittsburgh and Allegheny County but throughout nation. On their second attempt that they have received funding and I think that they should be very very proud of that.

During the ground breaking Jennie Knox Brown was in the background and let everyone else step forward. People representing my office and myself, people representing Mr. Wagner's office, action housing and these are the people that do the work time and day out and get no reward except as Jennie pointed out a T-shirt.

But I just want to say that they're very hard working, very respected in the neighborhood and the community and it is just a true honor to present this to Jennie Knox Brown, President of BCCDC and hopefully we will hear from Jennie and others.

Ms. Brown:

I pulled my colleagues to see if they wanted to say anything and as usual, I was elected to speak. We are very honored to receive this proclamation from City Council. We are just a group of citizens in a neighborhood who are working to keep their neighborhood or bring their neighborhood to where it used to be because we want to stay there. We are all city residents and we want to live in a neighborhood that when we get older and we are very close to it that we can enjoy.

We want to thank City Council and the whole City of Pittsburgh for backing us and helping us in doing whatever we needed to do the things that we are doing. Especially Councilman Ricciardi whenever we call on him he's always doing some things that we do. We also call sometimes just to talk to Councilman Udin and I know that Connie Wellons our secretary talks to some of the other Council people to get some input to what we are doing.

So we would just like to tell you that we are just beginning to do the work that we want to do in our neighborhood and we are going to ask you to continue to give us your support. We thank you so much for the proclamation again.

Mr. Ricciardi:

Colleagues, I am going to ask for your indulgence. I would like to get a picture for the South Pittsburgh Reporter in our community. If I could ask everyone to come up forward and for a celebration of this ten-year anniversary, if there is no objection.

Mr. Ferlo:

I just want to thank Councilman Ricciardi for bringing the leadership of the officers of the Beltzhoover CDC here today. They have worked quietly, I would say relatively speaking for last decade and more importantly effectively in really bringing and turning the community around. I think it really draws attention to a critical issue. Often times we get lost in our own ribbon cutting for Nine Mile Run, Washington's Landing, but we have organizations and people out there who really epitomize by the leadership here today.

I can remember knocking on Mr. Lucas' door 20 years ago, looking for his vote on Rafferty Street. But the fact of the matter is we too often loose sight of the people that have stayed and have made the investment and really have built this city and maintained the neighborhoods throughout the communities that we represent. I just hope and it kind of creates the imagery that we need to go into next year's budget debate, because more and more I think we are getting to the point of questioning what are our priorities? How do we create some equity in the resources whether it be for housing, or youth, or job development? There really is a question of how and what manner we have made a commitment to neighborhood groups like the Beltzhoover community.

I just want to thank my colleague, Mr. Ricciardi, for not only his leadership in providing assistance, but the hard work day in and day out. It's true the proclamation just draws in some of the housing initiatives, but there are a lot of other direct service activities that the volunteers and the residents of Beltzhoover have been involved in, under the leadership of the CDC. Again, I think, whatever we have to do, we have to redouble our financial and moral commitment to groups like the Beltzhoover CDC.

I hope that Mr. Udin's leadership as the Finance Chair and others up and down this table, Councilman Onorato who continues to raise questions of equity under our Capital, Mr. Hertzberg's leadership with the URA and Mr. Diven's enthusiasm. I think he represents a community that to some extent has not had the kind of resources and the commitment from Grant Street. So, I am looking forward to a spirited debate and it really goes back to the leadership that is here today from the Beltzhoover community.

The Chair:

Before we bring up our next guest, I would like to introduce -- we have the Deputy Director of Communications for the new Airport, I guess it's not a new airport anymore, but a beautiful Airport, Herman Mosely, welcome to Council Chambers.

Mr. Udin:

Can I ask Reverend and Mrs. Rideout and their guest to join us up front?

Colleagues, throughout our district one of the cornerstones of the social fabric in our community as well as the political life in our community, is the church. It serves not just as a place of spiritual renewal and nourishment, but also it is they're acting as a safety net when other systems fail to serve people who are on the margins of society. So it's a pleasure to get the opportunity to acknowledge an important mile stone in one of the

important churches in my community and at the same time to acknowledge that behind every successful pastor there is a successful First Lady. So we have with us today Dr. and Mrs. Farley Rideout from the North Side Church of God and I would like to read this proclamation.

MR. UDIN PRESENTS:

No. 416 Whereas, on May 16, 1998 the Northside Pittsburgh Church of God celebrates the Twenty-Fifth Pastoral Anniversary of the Reverend Doctor Farley Rideout and his wife Gloria Rideout; and

Whereas, Dr. and Mrs. Rideout united in marriage on October 14, 1956 and are the proud parents of two sons Wallace and James, four grandchildren, Chino, Antoine, Wallace Jr. and Christine; and

Whereas, Dr. and Mrs. Rideout attended the Northside Church of God under the pastorship of Bishop Clarence Denson with Dr. Rideout serving as Deacon; and

Whereas, Dr. Rideout preached his initial sermon at the Northside Church of God in May of 1965 under Bishop N.S. Marcelle and was named pastor of the Northside Church of God in May of 1973 making his tenure as pastor the longest tenure in the church's history; and

Whereas, in addition to his pastoral duties, reverend Rideout is serving his sixth term on the Pennsylvania State Council overseeing twenty-seven churches in Southwestern Pennsylvania and eight churches in the Pittsburgh Metropolitan District; and

Whereas, Mrs. Gloria Rideout has served as head of the Ladies Ministries Board for the past twenty-five years spearheading projects such as carpeting and padding the church pews, installing fans in the upstairs church sanctuary and transforming the first floor into a nursery; and

Whereas, Mrs. Rideout has taught junior high and young adults Sunday School for twenty-five years serving as an ideal role model and inspiration for all women in the church;

Now, therefore be it resolved that, the Council of the City of Pittsburgh congratulates Dr. and Mrs. Rideout on their Twenty-Fifth Pastoral Anniversary and commends them for twenty-five years of unselfish and faithful service to their congregation and community.

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Reverend Dr. Rideout:

We give honor to all mighty God for his loving kindness and tender mercy to a Local boy. I thank God for bringing me as far as he has. I give honor to the Council and the wonderful people who have offered me this and thank God for Jerry Craig the best Deacon that any Pastor could have and a wonderful wife that has served me all these years. We will continue to do what we can on the North Side and we ask that you pray for us. God bless you.

Mrs. Rideout:

I usually let the Pastor speak for me. But I thank you for your kind thoughts and I endeavor to do what I can in the community and in the church and I ask that you continue to pray for me.

Mr. Craig:

Good morning. The last time I spoke here I was an angry, outraged father and husband who came down. Today I am very proud and very pleased and very happy to come down to give honor to my Pastor and my First Lady. They have been Pastor and First Lady of our church for 25 years and I have been there for 19.

I have watched him as he performed his duty as the Pastor, and it has been very difficult at times. At times he has been attacked verbally and other times he's been called on by the community. He's responded positively and in our community where we constantly see our youth being lost to drugs and other violence. Reverend Rideout and Sister Rideout provide a positive role model for our youth in our community.

He is a strong leader, and he is one that we all look up to and one who I am proud to serve as the Chairman of our Deacon Board. Also this year as the Anniversary Chairman and if you all want to continually honor him, we are going to have a luncheon at the Tiberly (phonetic) Restaurant on Saturday at 11:00 a.m. in Penn Hills. We will have closing service on Sunday and the Reverend Lauren Mann is going to come in and do us honor by his presence. We thank you all for your kind jester here given here today, President O'Connor and City Councilmen, guests. Thank you very much.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 417 WHEREAS, Parkinson's Disease is a chronic, progressive neurodegenerative disorder affecting as many as 1.5 million Americans and approximately 14,000 Southwestern Pennsylvanian's; and,

WHEREAS, the Greater Pittsburgh Chapter of the National Parkinson's Foundation, founded by its current President, James T. Cordy, received its Charter in November, 1994, in order to increase the public's awareness of Parkinson Disease and raise funds for research to find a cure with the assistance of the University of Pittsburgh's basic Parkinson's Research facilities, one of the country's largest; and,

WHEREAS, on Monday, May 18, 1998, the Greater Pittsburgh Chapter of the National Parkinson Foundation and one of the greatest and most beloved athletes of all time, Muhammad Ali, will host a fund-raising luncheon at the Marriott City Center;

WHEREAS, at the luncheon, Kathy Arnheim will be presented with the Caring Hands Award, sponsored by SmithKline Beecham, which is given in recognition of her outstanding efforts as a care giver to a victim of Parkinson's Disease;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and recognize the Greater Pittsburgh Chapter of the National Parkinson's Foundation for

its advocacy on behalf of the people the Pittsburgh and extends its sincere thanks and appreciation to all of the people and corporate sponsors who have given so generously of their time and energy in support of the Association's most worthy efforts; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, May 18, 1998, to be "the Greater Pittsburgh Chapter of the National Parkinson's Foundation The Tri-State/Pittsburgh Chapter of the American Parkinson Disease Association Day" in the City of Pittsburgh.

MR. O'CONNOR AND MR. COHEN PRESENT:

No. 418 WHEREAS, the Squirrel Hill Urban Coalition is a community-based organization, established in 1972, that is dedicated to the purpose of preserving the quality of life in one of the city's most vibrant neighborhoods ~ Squirrel Hill ~ with its members having a long and great tradition of public service and leadership; and,

WHEREAS, on May 6, 1998, Squirrel Hill Urban Coalition President Andy Dlinn and Reception Co-Chairs Ellie Bernstein and Tripat Singh along with Coalition members, friends and distinguished guests will gather together in friendship to celebrate the Coalition's achievements and to honor this year's 1998 Citizen of the Year, Lynn Cullen; and,

WHEREAS, Lynn Cullen has distinguished herself as a broadcast journalist, commentator, and both radio and television talk show host, providing Pittsburghers with a fresh and entertaining perspective on the events of the day here since 1981; and,

WHEREAS, in pursuit of excellence in her profession she has garnered numerous awards including a 1991 Emmy Award, four Golden Quills for Journalistic Excellence from the Pittsburgh Press Club, three Associated Press Broadcaster Awards for feature reporting, twice named Best Talk Show Host in Pittsburgh, the 1997 Vectors Person of the Year in Communications; and,

WHEREAS, in addition to an outstanding professional career Lynn has, as a resident of Squirrel Hill, tirelessly worked to promote the distinctive qualities of the residential and business districts and has given a public voice to progressive ideals that are shared by the Coalition ~ respect for individuals, racial and religious tolerance, stewardship, sense of community pride, and dedication to family and friends, while always maintaining her unique sense of humor and peerless wit.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Lynn Cullen on the occasion of her being named the Squirrel Hill Urban Coalition's 1998 Citizen of the Year and extends our thanks and appreciation to her for her many contributions to her neighborhood and her city; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in recognition of Lynn's being named the 1998 Citizen of the year does hereby declare Wednesday, May 7, 1998 to be

"LYNN CULLEN DAY" IN THE City of Pittsburgh.

MS. MCDONALD moved to adopt the resolutions.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

One of my proclamations is for Parkinson's Disease, and they are having a luncheon next Monday, and we are bringing in Muhammad Ali, the champ for this luncheon. Jim Cordy is the President of the Parkinson Disease, and Marianne Davis. So if anybody would be interested, I think it will be a great event. Michael, you want to make sure you come to meet the champ.

Now move to presentation of papers.

MR. FERLO PRESENTED:

No. 419 Resolution Providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts in connection with the Rehabilitation of Existing Play Areas in Community Development Areas; providing for the purchase of equipment and materials for said projects; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Engineering and Construction.

MR. RICCIARDI PRESENTED:

No. 420 Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed $525,545.00, chargeable to and payable from the 1998 Community Development Block Grant Program, Mayor's Office.

No. 421 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed $1,134,945.00, chargeable to and payable from the 1998 Community Development Block Grant Program "City Council".

No. 422 Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed $744,000.00, chargeable to and payable from the following account: 1998 Community Development Block Grant Program, "Department of City Planning," "Community Based Organizations," 500000-2610-110000-C1998-G221000-1998.

No. 423 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof, at a cost not to exceed $213,300.00, chargeable to and payable from the 1998 Community Development Block Grant Program, Department of City Planning," Citizen Participation & Technical Assistance", Project No. 500000-2610-110000-C1998-2256900-998 ($198,400.00) and CTAC/Community Design Center, 500000-2610-C1998-110000-1998-G221102 ($14,900.00).

No. 424 Resolution Providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the implementation of a Citywide Lot Beautification – Flower Bed, and Community Gardening Program, at a cost not to exceed $220,000.00, payable from the following accounts: 1998 Community Development Block Grant Program, $100,000.00, "Western Pennsylvania Conservancy", Mayor's Office, 566100-2610-C1998-102000-1998-G226002; also: 1998 Community Development Block Grant Program, $ 70,000.00, "Western Pennsylvania Conservancy - Gateway Project", Mayor's Office, 566100-2610-C1998-102000-1998 G226003; Also, 1998 "NPA" Western Pennsylvania Conservancy, $ 50,000.00, Department of Public Works, 566100-5100-PGHPR-400000-1998-G226004.

No. 425 Resolution providing for an Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed $472,543.05, chargeable to and payable from the following accounts: 1998 Community Development Block Grant Program, $99,200.00, Department of City Planning, "Planning and Management" 500000-2610-110000-C1998-2256132-1998; Also, 1998 "NPA" Planning & Management, $225,000.00, 500000-5100-110000-PGHPR-2256132-1998; Also, 1996 "NPA" Planning & Management, $148,343.05, 500000-5100-110000-PGHPR-2256132-1996—Total $472,543.05.

No. 426 Resolution Amending Resolution No. 29, effective 2/7/97 as amended by Resolution No. 106, effective 3/21/97, as amended by Resolution No. 301 effective 6/6/97, as amended by Resolution No. 503, effective 8/11/97, as amended by Resolution No. 643, effective 10/24/97, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to transfer $450,000.00 from the Department of Public Works to the Department of Engineering & Construction "For Play Area Safety Improvements".

No. 427 Resolution Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 428 Resolution providing for an Agreement with City Source Associates for use in lot clean-up operations in the implementation of the "Side Yard Program" at a cost not to exceed $49,600.00, chargeable to and payable from the 1998 Community Development Block Grant Program, Department of Finance – "Side Yard Program", Fund 2610, Organization 107000, SubCode C1998, Year 1998, Project No. 2239509, Account 527900.

No. 429 Resolution amending Resolution No. 691, Item L, effective November 7, 1997, which authorized the sale of a two story frame house situated on a lot 41' x avg. 98.39' x 30 'rr., located at 1005 Tyson Street, 13th Ward, Block 174 M, Lot 293, to John L. Baker & Sandra L. Baker, his wife.

No. 430 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Onorato:

Just to clean up a bill that was introduced last week for a Post Agenda being held Friday on the land banking to have that televised.

MS. MCDONALD moved to televise the Post Agenda on May 15, 1998.

MR. FERLO seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

The Chair:

Move to Reports of Committee.

MR. UDIN PRESENTED:

Bill No. 431:

Report of the Committee on Finance and Budget for May 6, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 371:

Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of Counsel and Consultants to assist in the representation of the City of Pittsburgh for outside legal Counsel and Consultants at a cost not to exceed $75,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Hearing none, bill is now ready for final action, all in favor of the passage of the bills, will vote aye when your names are called; all those opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill having received the legally required number of votes is passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 432:

Report of the Committee on Housing, Economic Development and Promotion, for May 6, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 329:

Resolution providing for an Agreement or Agreements and to provide administrative/operating expenses including, but not limited to, advertisements, supplies, equipment rental, and other miscellaneous expenses associated with the administration of the HOPWA, at a cost not to exceed $463,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Ricciardi:

Yes. Thank you. First I would like to personally thank you, Councilman Jim Ferlo, who got involved in this bill and intervened. We were lacking some information regarding the funding and the agencies and how the money was being spent. Unfortunately our Planning Department was not able to provide that

information and curiously so. The reason for that if you look at the funding our Planning Department in City of Pittsburgh, we are taking three percent of the amount in order to be passed through.

I am not going to amend this bill today, but I would hope in the future maybe next year on the annual allocation we should offer them as in kind services. Those monies should be available to families and clients who are experiencing a very deadly illness, the AIDS HIV disease. So, I would hope in the future that we would offer that as an in kind service. Especially, that we couldn't even provide the information. I am not even sure what we are doing for our three percent. But I just want to thank Mr. Ferlo for getting involved and getting that information for me.

The Chair:

Bill is now ready for final action. All in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill has received the legally required number of votes and is passed finally.

MR. DIVEN PRESENTED:

Bill No. 433:

Report of the Committee on Public Safety Services for May 6. 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 368:

Resolution providing for a Contract or the use of existing Contracts; or Agreement or Agreements for the purchase of one vehicle and related accessories, for the Bureau of Police, Department of Public Safety and providing for the payment thereof not to exceed $30,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Ricciardi:

Discussion. Maybe I misread the memorandum but the memorandum from Director Kraus, if I am not mistaken, states that the vehicle is going to be used for witnesses in certain cases. Hopefully, someone, and correct me if I am wrong, I am curious why the money then is coming from the Auto Theft Trust Fund? I would think the Auto Theft Trust Fund has certain criteria and requirements that need

to be met and need to be directed towards auto theft here in the City of Pittsburgh. If someone could please answer that.

Mr. Hertzberg:

I asked that question of Director Kraus at the Standing Committees Meeting. She indicated that the funds are already there. They needed to be placed somewhere and that that trust fund did permit this expenditure. That's why they're in there. It is just accounting.

Mr. Ricciardi:

I just have one response. In all likelihood I will vote for the bill, but what concerns me is that the funds are there and we are going to use them for another purpose. Everyone knows here in the City of Pittsburgh and I don't have the statistics before me, but we have a rage of auto thefts here in the City and especially in my neighborhood. Fortunately the Chief recognized this and, I believe, put a new Sargent in charge of the bureau when it comes to the auto theft squad. But, I would hope that they will start to begin to do some innovative things to bust up these rings, that are actually taking these cars. I am talking about the professionals and not the joy riders.

What concerns me is that the money was even there. This money needs to be spent and it needs to be spent down. I think the Chief recognized that they weren't spending the money down and that's why he created this bureau and put a new Sargent, Sargent Jim Malloy, from the South Side in charge of it. So I look forward to this. This money should never have been there. It should be used for what the purpose was, auto theft.

Mr. Udin:

If I am not mistaken perhaps Mr. Diven can correct me, but I believe the money came from a state grant and rather than to create an additional trust fund on top of the hundreds that we already have that, one of the existing trust funds was used. So they used the Auto Pound Trust Fund to place the money in and then take it back out. They are not using auto theft monies for this purpose.

Mr. Ferlo:

I have a couple of concerns and problems with that bill. First of all and just in terms of procedure and process, this is the second bill at least to me where it seems as though directors who have discretion as to what they want to spend money for decide to buy new automobiles. That's the way I read this car that's the way I read EOC that Chief Rowntree got.

Now setting that issue aside, we took valuable city tax dollars in order to fund a witness protection program. This was several years ago at a critical time when it was clear problems associated with witness protection. I had raised a number of issues and concerns constructively criticizing the U.S. Attorney and the District Attorney at the time in terms of what was happening relative to the witness protection. We took as matter of reprioritizing our own city operating budget we anted up and we increased to a significant amount of money, the witness protection costs to the city taxpayer.

As far as I am concerned though, those costs really should be part of the District Attorney's obligations, the US

Attorney, the Federal Court System, the State Court System, and other monies that are generated as a result of drug seizure and sale of property, monies that we never give back to the City of Pittsburgh. They stay at the state level; they stay at the Allegheny County Law Enforcement level. So my problem with this is where we have a dedicated grant in this case as Councilman Udin pointed out this is dedicated money that came from a Witness Protection Line Item at the State Level. I think we should be paid back or downsized the amount of the Operating Budget burden that we have for witness protection and displace it or replace it with the revenues that are available under this dedicated source of money.

Secondly, we have a new District Attorney. I was pleased and also surprised that the other day the police; the FOP got a 17 or $18,000 check from the District Attorney to support the Pittsburgh Police Community event in the park. I think that is great. I am glad to see our drug money coming back to the city to at least help with some efforts.

But if he has that kind of discretion, I was kind of actually surprised to learn that he can just write a $17,000 grant and donations back to the FOP for their picnic. That is great. But I would also ask where is our money back to help with witness protection? That is not just a municipal burden issue, that really should be something that is part of the Allegheny County justice budget.

So my reservation, I am going to have to respectfully vote no on this bill today because it is still not clear to me that this is the best use of the funds that we get for witness protection. I think we should be looking at the Operating Budget deficit and the burden that we have to support witness protection and when we get monies of a categorical grant nature like this is from the state, we should pay back the City Operating Budget. I just don't get a sense, and even on this bill, and also that EOC vehicle, we never got the legislation or the regulations the state statute that explains what it is that is eligible for expenditures. We get interpretations of those guidelines based on the director or the staff person. I would like to know what are the eligible expenditures for these different things that we are being asked to fund? So, accordingly I am going to have to respectively vote no on this bill today.

Mr. Cohen:

Thank you, Mr. President. If this Council recalls the witness protection program was a very small line item several years ago about $15,000. This Council took the initiative to raise that amount of $100,000 and it may well be the best $100,000 that city taxpayers have ever spent. Because it is an enormously effective program and has resulted in a number of cases of being won, homicide cases being won because of witness protection.

So, I also am very concerned that of the relatively small amount of money that is available for the witness protection program, a portion of this is being spent on a vehicle. The case has just not been made in a compelling way to me as to why this is the best use of those funds. I would like to see the witness protection program increased even more because I know that our officers are going to use that money in a way that will help us to catch the most dangerous criminals in our society.

So, I also am going to be voting no today. Well, unless I get some compelling information that this is the best use of this money.

Mr. Hertzberg:

I don't know if everyone received this memorandum. I guess it was given to us Friday by Kathy Kraus. It is about three pages long and amongst the things that are mentioned in here that I find particularly relevant and I am supporting this resolution is the condition of the current vehicles. A 1998 Mercury Marquis with 103,862 miles and a 1988 Cadillac with over 100,000 miles. The Cadillac recently was hit broadside by a vehicle that ran a red light. We are uncertain whether it can be repaired. It goes on and as I said it is three pages long. It includes a sentence while our budget is sufficient to cover operating expenses what we don't have money for is equipment.

So if we are going to get -- where are we going to get the money from, the Capital Budget? Everyone knows that is as tight as the operating budget as well. I agree with some of the comments that have been made. We should look to get help from others. This is a matter that involves the District Attorney I don't disagree with any of that. But the fact of the matter is we need a vehicle. We do have state money. We got the grant for the state money and we need a vehicle, we shouldn't be transporting our witnesses around in vehicles that are going to be extremely undependable and possibly not the most pleasant vehicles to ride in. So I am supporting this.

Mr. Diven:

I agree with Councilman Hertzberg. Right now the City of Pittsburgh City Police budget is $61.4 million. Of that I believe $59 million is spent on salary and overtime. We are spending almost 97% of the City's Police Department budget on salary and overtime. We have to be creative. We have to be able to go out and look at state and federal grants and other ways for providing funding that are going to allow these officers to have the equipment that is going to be absolutely necessary to them in them performing their job and doing it safely.

I had the opportunity to talk with Kathy Kraus last week. I encouraged her to kind of outline instead of sending a bill up one at a time and having Council look at it as an independent piece which has happened with the Emergency Operation Center, and now with the dignitary and witness protection vehicle. What I asked her to do is outline the initiatives that the Public Safety Bureau was taking to secure more funding from Federal and State grants and other grants. One way she can show this information as part of a total package, because I think the money that we receive, the $30,000 that we are spending on this vehicle, frees up city money that would have normally gone for a vehicle replacement to be placed somewhere else in the police department to provide another kind of service.

So we need to encourage our Public Safety Bureau and we need to be supportive of them going out and actually soliciting grants from outside the City of Pittsburgh. The vehicle that was paid for, the Emergency Operations Center was paid for through a Pennsylvania Emergency Management grant. This vehicle is being paid for from a State

Department of Community Affairs grant. That is the kind of thing that we need to be doing because obviously with 97% of their budget going for salary and overtime, they are not going to be in a position to replace the amount of equipment that they need to replace annually.

I am going to support this. I would urge every colleague to support this. Because what we are doing is offsetting money that would normally be spent for equipment and circulating it back into the budget to go for other important things that we need to be doing like providing the overtime costs for witness protection, like providing more police on the streets. We cannot do that if we are spending $30,000 of their budget for a vehicle as opposed to for the man-hours that they need to be putting in. So, I would encourage everyone to support this because I am going to vote for it as well. Thank you.

The Chair:

Good point. Any further discussion? The bills are now ready for final action. All in favor of the passage of the bill, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor (Pres't)

(Mr. Cohen, Mr. Ferlo, and Mr. Ricciardi voted no.)

Bill having received the legally required number of votes is passed finally.

MR. FERLO PRESENTED:

Bill No. 434:

Report of the Committee on Engineering and Construction for May 6, 1998, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 401:

Resolution providing for a contract in connection with the restoration of seven tennis courts at Schenley Oval, the renovation of the playground in Frick Park at Beechwood Boulevard, the Renovation of a Recreation Area at Hawthorne Grove in Highland Park, the Restoration of Victorian Gardens in Highland Park and for the purchase of equipment and materials for said projects, at a cost not to exceed $620,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Ferlo:

Thank you, Mr. President. Obviously I am very much in favor of this allocation to the Engineering and Construction Department. This roughly one percent of the Regional Asset District

Capital Money that is coming back to the city to target back to at least four of the regional parks that are in the city and fronted on the Rad. The proposal here would include new tennis courts at the Schenley Oval, the Frick Playground on Beechwood Boulevard, the Hawthorne Grove Area in Highland Park as well as matching funding that is needed presently to secure the success of the Victorian Garden project and fountain in Highland Park.

While supporting this obviously for the 1998 Rad Capital it still draws and illustrates a general concern that a number of my colleagues, as well as myself, rightfully have. There is not rhyme and reason as to how we are dedicating our Rad Capital Money to the four regional parks. While we are moving now to capture and secure and move ahead of these projects for 1998, I would strongly suggest independently of the good work that the conservancy proposes to do as far as some planting for 1999.

I think all colleagues including those colleagues that represent the four park areas; we need to have some immediate audit of the four regional parks as to what the most pressing capital infrastructure repairs are separate from maybe a new playground or a new tennis court. If there is a wall falling or road or bridge caving in, you name it. If we go through the four parks there are glaring visible capital immediate projects that need to be done, it could possibly be done in a more cost-effective way on the City's B contract initiative through Engineering and Construction.

So, while approving this today, I would hope that with the discussions this afternoon with the Parks Conservancy as well as other colleagues and as chairman of E & C with Parks, Engineering and Construction part of the Parks Department, I will work on this issue with my colleagues. I think we need to make sure that the 99 Rad Capital expenditure goes back into the four regional parks and begins to prioritize what some of the critical infrastructure projects are.

The Chair:

I watched a little of the discussion Sunday night. I believe the timing is probably perfect for that because after this one, which is better known as the Blue Slide Park and Frick Park is finally finished, it hasn't been touched in almost 15 years. Frick actually has two parks and the one that is being done now really borders Wilkinsburg and probably gets a lot of use there. So, I think after this at least the playground and the equipment is all updated in all four regional parks and then we can go on to address what your saying.

I think Engineering and Construction with the parks people should outline whether the wall is falling down, trails need fixed you know in all four parks, so we all share in this Rad and it benefits the whole city.

The bills are now ready for final action. All in favor of the passage of the bill, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken accordingly to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill has received the legally required number of votes and is passed finally.

The Chair:

Moving to motions and resolution.

MOTIONS AND RESOLUTIONS

I want to make an announcement. We have two Public Hearings today on zoning changes and as you said Mr. Ferlo according to Parks and Recreation at 2:00 and at 2:30. Any other discussion?

Mr. Onorato:

I just want to give a little explanation and history to my colleagues here in case you are not familiar with what is going on currently up in Northview Heights. There was, I guess, a public demonstration and you might have seen it on TV or read about it in the papers. I want to make sure that the whole story is told and you know actually what is going on. There was, I guess, an opposition rally to a security system that is being implemented for Northview Heights and I think a lot of miss information was put out by certain individuals at that rally as though there was no information and there was no input from the community.

If I could just explain briefly? Over the last two years, maybe even a little longer, Stanley Lowe the Executive Director of the Housing Authority and I participated in many meetings, had several meetings up in Northview Heights where they actually did a mailing to every unit so this wasn't through any one particular group. Every single person was invited. The meetings were held at the rec center; they were very well attended. At least the ones that I was present at to explain a security system that they are going to be doing throughout Public Housing Communities. Northview Heights will be the first example of a pilot program that involves a security station where cars go in and out and also other security items lighting, 24 hour COP officers, those types of activity.

It was a plan that was put together a lot of input from the community, concerns and ideas from the residents were added or were at least addressed at several meetings. We also, at my suggestion to Stanley Lowe and he accepted it and thought it was a great idea, because it really helped build community support. We took two full rented bus loads of residents of Northview to go see two different particular public housing community and a privately run community upscale market that have these security gates. Because we wanted to explain to the media and also to the residents that this was not a type of security that was only geared towards one type of community or one level of income. That was the exact same system at Monview Heights up in the West Mifflin and also up in Greentree there was a very upscale housing development that had the exact same gating system.

It is a security system that is very successful. The bus tours were packed both buses of residents of Northview Heights, and I want to stress this point because this got lost in the discussion this weekend, this particular program had and has and continues to have the support of the community. This is very grassroots oriented. There has been more public input from the residents and information given with Public Hearings, then any project I can think of when we do a particular development or security plan and the tenant council actually took a vote and supports it. So it has support. I will make it clear that we are continuing with the plan meaning the Housing Authority as the Councilman for the area Stanley Lowe has my full support. Councilman Udin sits on the Housing Authority Board, he has been briefed on the plan and we are moving forward. I know there are certain individuals that have always objected to this idea but consensus was built and we are moving forward.

I think what was very unfortunate this weekend is that certain individuals put out a lot of misinformation and really lead some of the news reports in the wrong direction. So I just wanted to clarify that and I just wanted to stress to my colleagues that you can be assured there has been major public input from the community. There have been major public hearings. This has been a two-year process and we are getting towards the end of it. Now I think certain people who have lost the battle of discussion over the last two years are trying to win it in the end by throwing out some roadblocks and some misinformation.

So, the plan is continuing and I believe after it is implemented the residents of Northview Heights, like the residents of the other two housing communities, are going to be very pleased with the results. If they are not, obviously it can be revisited. The whole issue, I should point out it is a $5 million investment that is taking place right now in Northview Heights, and it is not just about a security gate. It includes Social Services, it includes putting up a commercial establishments a small store, public lighting that has been missing for years, security 24 hours around the clock, having officers actually walking the streets getting to know the kids. So it is a bigger plan than just one security gate. I wanted to point those points out so it is a good plan.

Mr. Udin:

I want to thank Councilman Onorato for his comments, and add to them from the perspective as a member of the Housing Authority Board. I would remind the public and my colleagues that the actions being taken in Northview Heights come in response, if you recall, to a death of a mother of two young children and a drive by shooting. Because the driver through access in Northview Heights allows many people who don't live in Northview Heights, who are not visiting Northview Heights or who are just either passing through as a short cut or unauthorized visits to enter the community at will. The community, the children, the seniors in the community felt underseized and that last killing of this young mother was the straw that broke the camel's back.

If this were just a top down arbitrary decision, I would be opposed to it. But it's not as Councilman Onorato has stated. The plan was a package deal that

came as a result of numerous community meetings and numerous opportunities for input. The package included improving the lighting throughout the entire district and the street lighting and lighting on the buildings and inside the courts and inside the buildings has been totally transformed and the place is very well lit at night. It included renovating the high rise for the senior citizens which is being done. It included building a convenience store operated by the community which is being built and it is close to opening and it include a security system.

Obviously the most difficult part of it was the security system. Because any security system while it provides some security for the residents it also provides somewhat of an inconvenience. You could pay $1200 to $1500 a month for rent in a condominium and you get the benefit of the security. You also get the inconvenience of having to drive up to the gate and wait for somebody open or slide through a card, that is the price that people are willing to pay for that security.

The residents of Northview Heights decided that when they weighted the inconvenience against the security benefits, they opted for the inconvenience of having security. So it is true that it is not absolutely unanimous. There are some people who don't like it, but the overwhelming majority of the residents of Northview Heights want it, are willing to accept whatever inconveniences come from it, and I support it as well.

The Chair:

I am certainly glad the levelheaded people are taking charge and the majority rules instead of some small group.

Mr. Ferlo:

As you pointed out, we do have a Public Hearing this afternoon 2:30. The Public Hearing is on this issue of the cooperation agreement with the Park Conservancy. I have a number of issues, which I would like to raise, which I think would strengthen the goals and objectives of the conservancy and how it relates to city government. I thought I made it clear in the request for this hearing was not just to be the conservancy agreement. That's pretty much what the Public Hearing has been publicized with. It was also supposed to talk about the Partners in the Parks work, and how they will fit in now and in the future on park maintenance projects.

Secondly, we were to talk about the relative maintenance and other kinds of infrastructure concerns that are in the Public Works part of the parks in terms of everything from the efforts to maintain our ball fields to concession stands and fencing. Things that obviously Mr. Mike Gable and his co-workers have worked very hard on. But when we set this hearing up, we were supposed to have a general, broader discussion not only about the four regional parks and conservancy but we wanted an opportunity to look more at the overview of all of our parks. Whether they happen to be the four regional which is the subject of the work of the conservancy versus the all burdens and obligations at DPW has for parks maintenance and what the role will be for partners in the parks.

So even though that wasn't billed, I still would like an opportunity to hear some discussion this afternoon about those issues. I would hope that the Chair will

allow that discussion since that was really supposed to be the them of the Public Hearing although it wasn't advertised that way. I just wanted to reiterate since we have the Public listening, that we have a Public Hearing Thursday morning at ten a.m. regarding the two bills that would further create an opportunity for a piloted bus shelter program. You saw a picture in the paper this morning. I would ask my colleagues to think about these issues. I have provided you with some background material and I know of at least one company putting out misinformation about this campaign. I hope they can address some of their concerns at the Public Hearing. I look forward to asking the public and my colleagues to think about something new that would be a win, win, win for the community as a Local company and people who ride the buses and that Public Hearing is Thursday at ten am.

I had a luncheon meeting in Garfield yesterday about 25 neighborhood groups from around the City came to it. They were all very impressed what the prototype of the bus shelter and what this program would entail and its benefits. I am hoping that some of them will also let my colleagues know their support and whatever concerns they have. I would like to really move on this issue. I have been struggling on this issue for over a year now and I would like to bring it to a head one way or another.

Mr. President, I know you have a bill relative to this issue of the dogs and that Public Hearing is Thursday, May 21 at ten a.m. I have had a lot of calls into my office about what this proposal would look like. I am trying to defend you that let's discuss it before everybody takes their shots at you. So I would ask that people be attentive and discuss their concerns at that Public Hearing, Thursday, May 21, on your off leash exercise area proposal which may or may not actually have to be in a park.

The Chair:

That's a very good point.

Mr. Ferlo:

Thirdly and fourthly, Mr. President, the Thursday, May 28 at ten a.m. there is a hearing on this whole issue of the EOC the 911 Center moving out to the Rockwell Building. I really don't think that is what this issue is about.

I think this is the beginning of us giving up our 911 system to the County. I don't know how and by what legal authority the City Government and the Mayor has already shut down pretty much our print shop and they are out there overworking the County. The County is working in our print shop. I don't know by what legal authority we have yet to even agree to any cooperation agreement regarding the closing of our print shop.

I know it has impaired our office and the Clerk's office in terms of timeliness of getting things done. We may have to do like we did with Cable and discuss taking the print shop and running it out of city council and let them just do their own thing. But I think that whole print shop example is indicative of what the administration is up to on the whole 911 system.

The Chair:

Can I follow up on the dog off leash bill? We have gotten a lot of calls too. I think the media has done a great job in bringing it to the attention of the public, but there are a lot of details. What I have been doing and if you would get your calls, I would follow up and send the people the bill. So once they see the bill, they know it is a 120-day study and as you said, it doesn't even have to be in the parks. There is a lot to it.

On your hearing today on the parks, I have two comments. One with the Race For The Cure was Sunday in Schenley Park, there were 20,000 runners and walkers, mainly walkers for the Race For The Cure. Schenley Park never looked so good. It was beautiful. I know you were there Mr. Cohen, the grass was cut, it was green, clean, anybody that has anything to do with Pittsburgh would certainly be proud.

But that evening my son who is now in the big league, Pony League and we are traveling to different parks and talking to some of the people who run the parks were saying how the fields and things aren't being picked up. So, I hope when we concentrate on a big event and do such a great job, we aren't slipping in the neighborhoods. Whether it be the neighborhood park, playground, ball field. I think that is something you're looking at today. That's how I see the meeting when we get to the grassroots. I hope that's not an indication of dropping one of five staff, going from five to four divisions. So we will certainly look forward to that discussion today.

Mr. Cohen:

Thank you, Mr. President. I had one thing I wanted to talk about. Briefly which I will but I also wanted to respond to a couple of items. First of all just on the weekend events, the Race For The Cure was absolutely fantastic. I just want to along with you, Mr. President, thank the City for its involvement in that terrific effort. Just to see 20,000 people running through Schenley Park on a sunny beautiful day was a sight to behold.

The other big event this past weekend was the Police and Communities Together event at Point State Park. I want to once again congratulate Councilman Michael Diven on our City Council, and also the whole Public Safety apparatus that put together a fantastic event on Saturday. I thought for a first year's event they did a terrific job and I know it will just keep getting better every year. I brought my own kids down and there were so many kids there, they really just did a great job organizing it, I mean everything from a petting zoo, to food, to unfortunately a dunking tank and it was really just a great event.

On the 911 issue, just to respond to Councilman Ferlo's points not that this is a debate, but I urge Councilman members to keep an open mind on that. Because I happen to think City County cooperation is a good thing. From what I have heard, although I have not made a final decision on the issue, but from what I have heard on the 911 Center issue is that that has a chance of not only upgrading our system but upgrading the County system much more. Because they need to be upgraded more. We frankly have a better service than they do. I think from what I have heard it is a win, win and that we are not giving away our 911 system to the County. So I did feel like I needed to respond to

that.

Finally, I just wanted to report to Council on something that is happening in my neck of the woods and that is with Chatham College. As many of you know, Chatham College just broke ground on a new science building. Councilman O'Connor you were there, the Buhl Science Complex and this Council voted for a conditional use for that science complex. They are moving ahead on a master plan. I just wanted to quickly report to Council that I put a committee together to review that master plan and to try to resolve some of the differences. There clearly are differences on it.

Chatham College is moving ahead by increasing its sudden population pretty significantly from about 850 students up to about 1200 students over the next few years. They also plan to build new buildings and parking lots. There really are three neighborhoods on the borders of Chatham College Murray Hill, Shady, and Woodland Road. So what I have done is put together a group of three representatives from each of those neighborhoods. We had one meeting a couple of weeks ago, that lasted two and a half-hours. Another meeting that last night that lasted a good two and a half-hours so if you get calls about Chatham College, I would appreciate if you would consult with me so I can tell you where we are on that.

Also, just to tell you that they are having a neighborhood meeting this Thursday to discuss their master plan in the Welker Room of the Laughlin Music Hall at Chatham College at 7:00 this Thursday evening. Thank you.

The Chair:

Would you suggest other Council members go or is it too soon? It looks like it is going to be a big topic some day. I don't want to get into it, I would rather you handle it for now.

Mr. Cohen:

I definitely would invite other Council members if they are free to come and start getting educated on this because I think that meeting will be an important meeting. If they can't though, it will definitely be coming to us later.

The Chair:

I would like to give a quick report on my Japan trip to you in a few minutes. I would request to Mr. Diven since you were one of the founders of the park of the police community events Saturday, if you want to just make a few brief comments on it.

Mr. Diven:

First of all, I would like to thank Councilman O'Connor. I know Marlene on your staff was really involved in working with this. I would also like to thank the members of Council who showed a great support in this event. Councilman Cohen spent some time in the dunk tank. Mr. Ferlo helped with getting some of the prizes that were giving out. Councilwoman McDonald was there to present awards to some of the police officers. The event was fantastic. I thought for the first year they had estimates upwards of 15,000 people who attended during the course of the day.

They had live bands who played throughout the day, the petting zoo there were demonstrations from not only the city departments but many of the surrounding municipalities, the State Police were there, they flew their helicopter in. They had K-9 units doing shows. They had a whole host of activities throughout the course of the day. One of the reasons why this was able to be possible was the dedication and the work that was put in by many of our city police officers.

I believe there were 60 police officers from the City of Pittsburgh. Over 60 police officers who volunteered a lot of time and a lot of effort and going out and coordinating things and staying on top of things and making sure that everything came off as professional as it did. They're to be commended. I think this is going to be something that is going to grow in future years.

What the spirit behind this was, was that they were going to use this event to help raise corporate donations and use this money to provide grants to community organizations who work with kids that have police officers who volunteer their time and some relationship to that community organization. I think that idea in itself is an idea that is going to go along way in helping to breakdown the barriers and breakdown the stereotypes that people in the community might have about our police officers.

We have a great professional police officers that workday in and day out. They are family members, they're husbands, they're wives, they're fathers, they're mothers, they're coaches, they're mentors, and this was a great way to showcase this an really rally those people together and make sure that in the future there is going to be a big impact made by this organization.

I would like to thank you for your help, Councilman O'Connor. I think that most of the people that were involved on Saturday and had a chance to see it first hand were impressed. I think Council should be commended for embracing this organization and giving it the support they need. I think the police officers who put the time in to make this happen are to be commended as well.

It is only unfortunate that you know when you pick up the Sunday Paper you only see one small picture of a tug of war contest which doesn't even tell you the theme of the day or what would happen. It is unfortunate that bad news sells and this was a great good news story that slipped through the cracks. So hopefully next year when they have this event we will get a little more coverage.

The Chair:

Again, I want to congratulate everyone involved. I think it really showed a commitment from our police officers to the community and the young people they wanted to bring together. I understand it was a great event. I am sorry I missed it.

Mr. Ricciardi:

Different issue. I want to say that Councilman Dan Cohen was very modest when we were talking about the witness protection program. It was his legislation and his initiative amendments that increased that fund that really is helping

fight crime in the City of Pittsburgh.

Also, I want to congratulate Michael Diven for his fine work on the event on Saturday.

Colleagues, several years ago we initiated a multi-million dollar Wayfinders Program here in the City of Pittsburgh. It was a program that was to be very instrumental in helping visitors and residents navigate our streets. It was a very complex program costing millions that was one of creating beltways, one of creating color schemes one of getting people around the City in such a way to go certain places, to go to certain facilities. For example, the Hostel in the Allentown area.

We always realize that you have to start somewhere. We have never been parochial about that. We started, I believe, in the East End, we did the North Side well, matter of fact if you drive Forbes Avenue which I did this morning, I believe I counted 22 signs and that is fabulous. When is the program going to be initiated and started in the south and southwest of the City of Pittsburgh?

Councilman Hertzberg and myself for one year now have been making this issue publicly and we have been screaming and advocating the same. Councilman Michael Diven who came on this year, has also been looking into this matter. Matter of fact we raised the issue and what do they do, they give three signs in Councilman Hertzberg's District, just pinpointing a certain facilities. That is not the program. The program was one to navigate the streets. The program was one to create beltways. The program was one to take a resident, a visitor from downtown Pittsburgh into the neighborhoods.

I am very close into calling an audit by the City Controller Tom Flaherty to see number one how was the money spent? Where was the money spent? Why hasn't it been initiated south and southwest of the rivers? And how did they run out of money? Also we asked one year ago for the location of all signs in the City of Pittsburgh, and how those signs were paid for? Many of those signs, if you recall, were supposed to be paid for by a business or corporation or a hospital or a non-profit requesting those signs.

So for example, if Allegheny General Hospital on the North Side requested a sign, they were supposed to pay for that. I am becoming very suspect of the program. I am starting to think that while others did pay for it because I was contacted by a number of groups in Shady Side, they did pay for their signs, I am starting to find out and understand that others received theirs free. So when they received their signs free, for political favors or for some other reason, that drained the fund. That is why now you have no idea on how to find the Hostel in Allentown area when visitors come.

We all know we are having a great convention here in the South Side in a few weeks where we have 1500 people from around the country regarding historic preservations. Something Councilman Ferlo has been very involved in. Where are the Wayfinder Signs taking them to the Market House in South Side? Where is the Beltway that takes a person to the South Side, to Overbrook, to Carrick, to Brookline, to the Beechview Area? It is just nonexistent. It is an insult that just three signs was placed in Councilman

Hertzberg's area, because they are just three signs.

Once again, if we do not receive a complete accounting for those monies, those funds, the goal of the program, when they are coming south of the rivers, southwest of the rivers, I will be calling for an audit by the Controller's Office. I believe that is always the last avenue however. Because when you call for an audit it appears that you are saying that something suspect is happening. I think that it was just poor planning to be perfectly frank with you, poor management. But we need that information, Councilman O'Connor, because I have always supported other neighborhoods. I have always said we have to start somewhere. But I always expected that eventually it would come over to the South Side, the Allentown, Arlington, and Beltzhoover. We are looking forward to that program. Where is it? That's what I am asking this administration. Where is it?

Mr. Hertzberg:

Thank you. I won't say I could say everything that Mr. Ricciardi said, I couldn't agree more with him on this problem. We have been asking and asking. I think it's been almost two years we have been asking when are these signs going to come south of the river and West of the rivers? I don't want to be ungrateful I did receive three signs finally, I believe, it was late last year and we are grateful for those signs, that direct people from the West Ends circle up to the West End Elliott Overlook.

Those are three signs and seeing what is elsewhere with this program that isn't even a sufficient number of signs to take you to this particular destination, the West End Elliott Overlook. There are a number of ways to get there other than from the West End Circle. Traffic could be coming down Steuben Street in the opposite direction, it could be coming from McKees Rocks on West Carson Street. It could be coming out of Sheridan, it could be -- there are just so many more signs that are just needed for this one destination when I compare with the program elsewhere. Of course, we have other destinations south and west of the river that should have these signs and, I think, admittedly need the signs, including on our parkway and our interstate system.

That is all supposed to be part of this Wayfinder System. We have nothing going on so far so I am glad Councilman Ricciardi raised this issue. Apparently, we just have to keep raising it and maybe an audit will be necessary. I don't know what is necessary. But something needs to be done and we need to get these signs elsewhere in the City. We were supposed to get them and the response has always been we are going to get them. So, When?

Mr. Ferlo:

Every time I see that shakedown artist consultant on Channel 17 who sold us this Wayfinder Program I get sick. But I am tired of talking about this. Councilman Ricciardi has raised this issue at least a year and a half ago. So has Councilman Hertzberg. I think we need a performance audit by the Controller to give us some rhyme and reason what were the expenditures, how were they made, all the issues that are pertinent to the resolution the operating resolution of

Council. I didn't vote for this originally because I made the point that this should have been done by our own sign shop now this guy is out selling this program up and around the Country. I am curious how much he is making on this deal. I don't even know if he has fulfilled his task and his obligations under the program.

The Chief Executive Officer to the Mayor left down, disappeared, I don't know if he had a falling out over this signage program or what, but there are all kinds of questions about what happened to that gentleman and this program. We are not going to find anything out. I think we need the Controller's office to do a performance audit, go back to the original authorizing resolution of Council, the original million plus, I think, expenditure and I think then there was a subsequent additional expenditure. Where are we at? Is 20% of the program implemented? Is 30%, what is covered, what is not? There was a whole set of discussions about who was going to pay and how much. In fact at one point I thought Mr. Pollock said there is guarantees of a half million dollars. I mean maybe the Pittsburgh Foundation instead of using their 501C3 money pushing the Home Rule which is a violation of the IRS Code, maybe they can come up with some money to pay for the Wayfinder's Signage Program which leads them to the downtown cultural trust area.

In any event, we are not going to be able to find this out. We are not going to get to the bottom of this. We just and it is not an objection of Mr. Ricciardi and Mr. Hertzberg, I would like to make a motion on their behalf that we just ask the Controller's Office to do a Performance Audit on this whole issue and bring us up to speed. There are so many issues that need to be looked at. We don't have the time to do it. The program is not completed. In fact, it was Mr. Hertzberg who made a major modification. That was if you remember, the original color debate which only had four areas of the city if it wasn't for Mr. Hertzberg originally saying hey how about the West End of the City, that is how the fifth color came up on the sign. I don't know if that consultant deserves to pay Mr. Hertzberg or the Council back some money for that idea maybe he could then dedicate his money back to the West End for the signs.

But in any event, I have heard all kinds of rumors about who paid, who didn't, it had a lot to do with the Mayor's re-election. I mean there is a lot of stuff that is going on here. It is very difficult for us to look at the details. I think the Controller's Office should do a Performance Audit and look at all the other issues that the colleagues and myself have raised.

The Chair:

Also, if I might add I know a lot of the hospitals and universities, Science Center, whoever pitched in and paid, it should be accounted for.

Mr. Ferlo:

We don't know that. There was discussion about a trust fund that was created, money was supposed to be done collected and expended for various signage. I have no sense and I think Mr. Ricciardi spent over a year and a half and maybe he did receive the information and hasn't shared it with us, but we asked for an accountability of the trust fund and who all paid for what sign. I can

remember intervening at one point at the Bloomfield merchants with Mr. Cohen where there was a discussion; they were being told they had to pay $500 for one sign coming off the Bigelow. The whole thing needs to be sorted out. We can't sort it out. We would have to work full-time on this issue.

We should ask the Controller's Office, they have the expertise, they do good Performance Audits. We should ask them to look into all these different issues.

The Chair:

I would like to know not only who paid but who maybe owes? The audit certainly --

Mr. Ferlo:

Take that guy off of Channel 17.

Mr. Onorato:

I just want to as a point of procedure, if we want to do the Performance Audit, that is fine with me also. But in the mean time I am just wondering, Wayfinders is a sign program that technically falls under Public Works, I would guess. But regardless of whose committee it is under, I think a lot of times when we call in the Controller on a performance audit which he can do obviously very well, but he can only do so many a year. I think sometimes we are too quick to not look at what the Home Rule Charter says and our investigative abilities as a Council, that even if it is in the form of a Post Agenda and asking the questions and then responding if we don't get the answers. One option might be to try to have a Post Agenda and get these questions answered as opposed to saying since we don't have an answer let's just throw it to the controller.

I would be willing to do it either one because I think that this Council obviously has shown that it has the ability to handle itself well in an investigative manner when we are doing Post Agendas and having the appropriate officials of the administration ask questions. The Home Rule Charter is very clear when it comes to investigations and for discussion from council. Even to the point, not that you will ever use it, but even as far as when Council has subpoena power on any issue. We have the investigative power to investigate these types of allegations or concerns. So I think it would be healthy for us to have the investigation and ask the questions as opposed to the Controller spending the next six months putting together a report. But it is something to think about. One of the two options I would support either way, but I think the Post Agenda might be a better way to start.

Mr. Ricciardi:

Just conclusion, I guess the administrators of the program or this consultant is definitely colorblind because the two colors south and west of the river are not moving in the right direction. I would like to go with Councilman Ferlo's suggestion because I think rather than an investigative type of process, I think this is just one of an audit in terms of putting accountants and our CPA's in the Controller's Office to work. So, I would like to take that suggestion from Councilman Ferlo and make a motion or second Mr. Ferlo's motion about regarding a performance audit.

Which motion prevailed.

The Chair:

Briefly, the hour is running late, I just wanted to tell you briefly about my trip to Japan. You have to like flying because we left Detroit and it took 14 hours to get to Tokyo and then a two hour bus trip because of the traffic to get to Oomiya our sister city which was the main purpose of the visit.

We spent almost day and night; we started early in the morning and ended late at night. We visited with 12 corporate heads, 12 different corporations in Oomiya and some in Tokyo. We visited three plants. It was -- I worked in factories but none like this. Everyone wears a uniform; they are very structured as a whole. It is a very structured society. The people we met with most of them knew Pittsburgh or had been here. It is odd they all know the Pirates because baseball is the number one and maybe the only sport over there.

The transportation is something you have to see. If you don't have a train ride, they have double triple tiers of highways. Along the riverfronts where there were some spaces, there is no land, virtually no land at all. I mean no one has an average home with a back and front yard like most of us do. It is really condensed and if they do have any room they squeeze their car onto the front porch or real close t it. But a long the riverfronts are miles, maybe 12, 15 you can see them at a time baseball fields. One field after another, from Little League, Pony League, softball, they had some soccer but that was probably the key recreation. Golf is almost unheard of but everyone loves golf and you can spot the driving range miles away because they have nets that are not much wider than this building or this room and they have three, four tiers but the nets are way up in the air. It looks like a skyscraper maybe the tallest building.

Visiting the corporations outside of the Pirates, we were really well known for CMU and Pitt. Almost everyone had some of their companies had people from CMU engineers who had studied at CMU and are now working for them. At the University of Pittsburgh, 100's we do have about 200 a year who come here about six months to learn the language. But when we did ask the companies who had been here, whether it be Sony, Mitsubishi because Sony is in West Moreland, Airstech is right here and that is an affiliate of Mitsubishi they were very impressed and surprised about our labor force. For years maybe they heard some negatives about the old steel industry and the problems that we had but they were pleasantly surprised and, I think, it is a very positive in maybe it was an old problem.

We hadn't been really pursuing this, other cities had. One city they had just put a new plant in was Dayton, and we asked why did you go to Dayton, and they said because someone came and asked us. So there is a great opportunity I think to bring business here. We certainly laid the groundwork for future -- the governor was there six months ago. But part of the highlights of the visit I know Mr. Ferlo greeted them here when they came as our sister city they we had a formal signing, you signed here and we signed our formal signing there. They had 300 people at the signing. They had an orchestra. They had kids-- actually it was a holiday, the kids came with their school uniforms and sang

American songs to us. We had a formal signing. The Mayor and I were on this side of the room, their mayor and chairman of their Council was on this side. So it was really very formal. We have it on tape. I hope to get a copy. It is a very structured society.

As we spoke you needed an interpreter at almost everywhere. Very very few people spoke English. But the sister city signing was quite exciting and, I think, we should all be proud of it. Their Council has 38 members. It was interesting. They showed us the Council chairman sits here, but right there sits the Mayor and he has to whenever one of the Council people have a question, the Mayor can go the podium and answer it for them. So it is quite different from us.

I don't know if many of us, especially myself, I could never live there because of jaywalking. Nobody jaywalks. You would have a couple hundred people waiting at a sign and nobody moved once unless that sign changed. I mean even if you are on a side street with nobody there and no cars coming, they all waited. Everybody wears uniforms. Everyone is in a suit; the ladies all dress the same. All the school children, grade school through high school had the same basic uniforms.

Transportation was probably the most interesting thing to have. Everybody travels by train. When we left for Oomiya to go to Tokyo we had to catch the 7:51 train, you had a ticket we bought a head of time, when you went into the train station, you thought you were in three rivers stadium when the Steeler game let out. It was just massive people. They would have hundreds of cabs picking them up, biking, but the train, they even told you where to stand when you went to pick up the train. Well the 7:51 train came at 7:51. So it quite different than what we are used to. But it was quite an exciting trip.

I will try to give a briefing on some of the people we met. We did have an opportunity to meet the number one man at Mitsubishi, who I didn't realize is the fourth largest company in the world. It is bigger than General Motors. I think they really liked the idea that the Mayor himself came with the URA and representatives from government and business really made an impression on them. But I feel in conclusion it was a very proactive pro-business and pro-Pittsburgh not only to the city we were selling, the region.

So, I felt very proud of our organization and the job we did of working with them and I think there is a lot of opportunities. Oomiya will come next year. They are looking forward to bringing their business delegation here to see Pittsburgh meet with our business leaders, and political leaders and see if we can continue our sister city relationship, which it has basically been grooming for 17 years. I think next week we have a basketball team of youngsters going over there. They want to bring an exchange of all star baseball teams, but business is really going to be the key and that's where I think we will roll up our sleeves and try to make some inroads.

On that, I would like to have approval of the minutes.

MR. FERLO moved to approve the minutes.

MR. HERTZBERG seconded the

motion.

Which motion prevailed.

MR. FERLO moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Ferlo, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *May 18, 1998* *No. 20*

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Monday, May 18, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Ferlo	**Mr. Ricciardi**
Mr. Hertzberg	**Mr. Udin**
Ms. McDonald	**Mr. O'Connor (Pres't)**

ABSENT:

Mr. Diven

The Chair:

We all please rise for the pledge of allegiance and remain standing for a moment of silent prayer.

I would like all of us to remember Kenneth Tester who was a refuse driver for the City who was killed while working for us Friday afternoon. He has a wife and three children. The viewing will be today from 2:00 to 4:00 and 7:00 to 9:00 at Brady's Memorial Home in South Side Avenue in Spring Hill and the funeral service will be tomorrow, I believe, at 11.

With us today for the pledge we are fortunate to have two young ladies from Ellis School, Robin Stiller, nine years old and she is in the third grade and Ava Weiskopf, who is also nine years old and in the third grade. They are accompanied by Robin's mother, Dr. Fomkin.

Robin Stiller and Ava Weiskopf:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

On behalf of City Council I have a flag of our City and our Country for you.

PRESENTATIONS

Mr. Ferlo:

Once again we have no formal proclamation. We want to do a class photo here with the teachers and the students from Woolslair School. So if we could get everybody up here and we

will have a few brief comments. We want to thank the League of Women Voters, and the newly elected President is here from the League of Women Voters, Carol Emerson. She is not here for the Home Rule issue. She is here for the Woolslair School issue.

Members of Council and to the public if you remember just a few short weeks ago we had some of the other classmates from Woolslair School located in the heart of the Lawrenceville Bloomfield community at 40th and Liberty. Woolslair School and the Principal Virginia DiPucci have a great program and all the teachers here have been working hard along with the parent volunteers.

These are the older students from the school, the elders of the school. They are the second part of an ongoing program at Woolslair School known as Kids Around Town.

As I mentioned, Councilman Onorato has been active with this program on the North Side and what it does, it is a lesson in democracy for the young students. Specifically they participate not only in their knowledge and expanding their awareness of local government and political issues in terms of how government is run locally and in the state and nationally.

I had the pleasure of being out there for the day. I spoke to the students in assembly and individually in some of the classrooms and they're involved in a unique experiment. They are going to be electing leadership of the school similar to having a Mayor and Council. They're also going to have different classrooms adopt different city departments. Such as the Public Safety Department or the Parks Department or Public Works and they're going to learn all about budgets and how local government runs.

So it is really kind of a microcosm of local city government only at Woolslair School. We are pleased that they are down here. We thought we would bring them down here today. The Mayor has been nice enough to open up his office and chambers over there for them to pass through. I see a lot of the parents also. I want to thank the parents for their involvement with their kids at the school. Thank you very much.

Again, we have no formal proclamation. I did want to bring Carol Emerson up here to say a few words about her experience and what the program means. We also have a formal proclamation for all the students here today indicating that this is a certificate of excellence in citizenship and knowledge of Pittsburgh City government. Every one of the students will be receiving this proclamation because of your good work at the school and your good work in the community and hopefully your good work at home, don't forget that.

Carol, would you like to come forward and say a few words? Thank you.

Ms. Emerson:

Good morning. I am Carol Emerson, I am the President Elect of the League of Women Voters of Greater Pittsburgh. The Kids Around Town

Program is the one that we are involved with at Woolslair School. Kids Around Town is a program of the League of Women Voters of Pennsylvania. It's funded locally by the Grable Foundation here in Pittsburgh, and we have programs in four public schools in the Pittsburgh area. This one at Woolslair this is our second fieldtrip here to the City Council chambers, and Mr. Ferlo has been such a wonderful resource to us and we do appreciate it.

These children are learning about democracy by doing democracy. The purpose of education is not to teach children what to do but how to make decisions so they can choose things for themselves and learn how to direct policy. So we are very grateful for this opportunity. We are glad to be here in City Council to see the very workings of their own local government. Thank you.

Mr. Ferlo:

Thank you, Carol. Before we get a group photo here with our President Mr. O'Connor up there, would one of the students like to say a few words? That kind of was a difficult task last time we tried this. Who wants to say something about the program? Don't talk about the Pirates or Home Rule or anything. You want to say a few words? Give your name and say a few words.

Renauld Stevens:

I am glad to be here for the program of Kids Around Town.

Rebecca Novak:

My name is Rebecca Novak and I think the Kids Around Town Program is a very interesting program because we can learn more about the world and how it can go on.

Jason Walter:

My name is Jason Walters and the Kids Around Town Program is very interesting and we are doing the hospital units for the Kids Around Town Program.

James Pinckney:

My name is James. I just want to know how come we have to get homework if we can't just have extra time in school?

Mr. Ferlo:

We will have to let the teachers respond to that after the class leaves. We want to thank everybody for coming down here today and we are going to get a group photo, if we can still see our Council President up there.

I want to thank especially Yarone Zober also for helping to get this class together. Joe for his assistance, thank all the teachers. I now all the kids are going over to see the Mayor's office and we will be out of Woolslair I believe next week on the 20th if I am not mistaken to look at a traffic problem.

Again we want to thank all the teachers and all the folks from Woolslair and the League of Women Voters with their Kids Around Town Program.

Mr. Cohen:

Good morning everyone. Would the folks from Corpus Christi please come up? Good morning. Members of Council and members of the audience. Councilwoman Valerie McDonald and I are proud to sponsor this resolution on behalf of Corpus Christi Residence whom everyone here knows as a facility compassionate facility for people with HIV and AIDS. They also have a very special program coming up in connection with the Broadway show RENT that is going to be in Pittsburgh. So that having been said, let me read this proclamation.

MR. COHEN AND MS. MCDONALD PRESENT:

No. 435 WHEREAS, Corpus Christi Residence opened its doors in July 1994 as the first and only assisted living facility in southwestern Pennsylvania for persons with HIV/AIDS and other chronic and terminal illnesses; and

WHEREAS, the residence, managed by Presbyterian SeniorCare, is a project of the Verona House Corporation, a community based non-profit partnership of the Roman Catholic Diocese of Pittsburgh, Presbyterian SeniorCare and community representatives; and

WHEREAS, Corpus Christi Residence provides private rooms and assistance with the activities of daily living for up to 22 residents without regard for race, religion, ethnicity, gender, disability, sexual orientation or financial means; and

WHEREAS, Corpus Christi Residence's annual outlay of charity care is very significant since most of its residents have very low incomes; and

WHEREAS, on Thursday June 4, 1998, Friends of Corpus Christi will host a performance of RENT at Pittsburgh's Heinz Hall as part of Heinz Hall's Broadway Series to benefit Corpus Christi Residence; and

WHERAS, RENT deals candidly but compassionately with the subject of AIDS and, like Corpus Christi Residence, conveys a message of hope to persons living with this illness.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the Staff, Volunteers and Board Members of Corpus Christi Residence for providing persons with HIV/AIDS and other chronic and terminal illnesses with hope, compassion and dignity; and

BE IT FURTHER RESOLVED, that Thursday, June 4, 1998 be declared as "Corpus Christi Residence Day" in the City of Pittsburgh in honor of their benefit performance of RENT at Heinz Hall.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have here this morning other

than Valerie McDonald, Cynthia Klemanski who is the Administrator for Corpus Christi Residence and a long time friend of mine. Also, Mr. Charles Pruitt who is President and CEO of Presbyterian SeniorCare. Thank you very much for being here. Reverend Lynn Edwards who is a Board Member on Corpus Christi Residence Board and Kurt Francis who is a resident of Corpus Christi yourself so thank you very much for being here.

I would like to have Councilwoman McDonald say a few words and then we are going to turn it over to you.

Ms. McDonald:

I was not aware that I was cosponsoring this but after I heard that the organization was receiving a resolution, it immediately came to mind what Corpus Christi does in Council District 9. They're very heavily involved with Lincoln Lemington area and I mean they have made roads in that area and in types of initiatives that are needed in the area.

There was a lot of controversy involved with their first step in helping people and that was before that preceded me on Council. I was on the School Board at that time and that was with a Hospice Center for terminally patients and primarily AIDS but I am sure cancer, whatever. Because you don't die of AIDS, you die of a complication. So a lot of cancer patients were there and the community didn't like it.

They felt that they were once again put upon with another organization and social service organization and when are we going to get business, and when we are going to get housing. In the mean time, the church was right acrossed the street. They persevered anyway. They went full steam ahead. I visited the facility after all the dust was settled, after the facility was filled, and it is one of the nicest facilities that you can imagine. Beautiful Art work if you're going to be going -- out of this world; it's a wonderful place to at least enjoy that time that you have here.

So I commend Corpus Christi for their perseverance, I also commend them for other initiatives. We have a family health center in the Lincoln Lemington area. It is a beautiful facility as well. That just opened and of course Deborah House. So thank you very much. I commend you on this. I am going to be seeing the performance of RENT but I just don't know when maybe June 4 maybe it. Thank you.

Mr. Cohen:

I would like now to present this proclamation to Corpus Christi and Cynthia if you would be so kind on behalf of the City Council congratulations and please say a few words.

Ms. Klemanski:

On behalf of the Board of Directors, the staff, the volunteers and the residents of Corpus Christi, I would like to thank City Council for this proclamation. Acknowledging us and recognizing our special RENT event. I would especially like to thank Councilman Dan Cohen and

Councilwoman Valerie McDonald for cosponsoring this event, especially for your very kind words.

We really appreciate the compassion that has been extended to us today. Corpus Christi Residence was created to provide the region with a much needed assisted living facility, in order to provide services to meet the needs of people with HIV/AIDS and other disabling illnesses, including those who have inadequate finances to pay for their care. Our supportive services include medical, nutritional, psychological, spiritual, and recreational services to meet the needs of these individuals. Our goal is to provide a great degree of independence in an atmosphere of compassion, hope and dignity.

Since we opened our doors in mid 1994 we have provided care to over 110 men and women. The nursing and care management that we provide has helped to minimize emergency room visits and lengthy hospital stays. We provide a much more cost-effective way of carrying for people in a home like atmosphere. The valuable services that we have provided would not be possible without the support of government, the Pittsburgh community and especially our local foundations which have helped us tremendously with our start up expenses.

We would not be able to do what it is that we do without our dedicated volunteers, board and staff, and the friends of Corpus Christi who include the interior designers that Councilwoman McDonald mentioned. They renovated the rooms, used their own talents and money to furnish the rooms to provide a home like setting. They along with other caring individuals have been the volunteers that have spearheaded our fund raising event. A special thank you goes to the events co-chairs Delya Manoo (phonetic) and Jean Kurtis who are not able to be with us today.

Last but not least, I would like to recognize the men and women who we have had the privilege to serve and to continue to serve at our facility who despite insurmountable odds maintain hope and work very hard to increase their independence. They truly serve as an inspiration to all of us.

In closing I would like to thank City Council and the residents of Pittsburgh for their continued support. Thank you

Mr. Francis:

I would just like to say I really appreciate the help I have gotten at Corpus Christi. I went in in a wheelchair and now I am walking again. I soon want to be off the walker, so thank you.

Father Edwards:

This is just to say thank you for all the services around HIV in the city. The (inaudible) committee, Pittsburgh AIDS taskforce, if we start to number them there would be so many. The city and the county have been so gracious to us and we certainly appreciate that. God bless.

Mr. Ferlo:

I would like the record to reflect a special thank you to father Lynn Edwards. He has been serving 30 years in the Episcopal Church. I believe he will be officially retiring shortly from his pastoral duties. I know it is very exciting for the community that he will continue with his hard work and his kindness and his leadership with the Shepherd Wellness community in your Council District at Saint Stevens.

We just want to applaud Father Edwards today.

The Chair:

Again for the record, Father, we're not going to let you retire; we need you to be active in our community.

Can I have the members of the Gateway Clipper Fleet please come up for this celebration of their anniversary? Terry Wirginis who is the President of the Gateway Clipper, Ron Shively is the General Manager, and Susan Gradiske is the Marketing Director. Not here today, I guess the owner John Connelly who is probably flying all over the country. It goes without saying John is on the board at Saint Francis for over 12 years. He's probably the most outstanding person in Pittsburgh for all his charity and all the many, many lives he's touched, whether it be hospitals, schools and different charity events. We want to make a special note of all his contributions for the city.

This is the 40th Anniversary and I will read the proclamation. We probably should have had a boat ride for all these kids but I guess they need to get back to school. Next time we will tie it in.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 436 WHEREAS, the Gateway Clipper Fleet graced the rivers of the City of Pittsburgh for the first time on May 17, 1958, and during the Fleet's four month maiden season it operated with one 100 passenger boat, named the Gateway Clipper, serving over 25,000 passengers its first year; and,

WHEREAS, the Gateway Clipper Fleet has now grown to a five boat 2,500 passenger operation today and serves as a major attraction not only for the residents of the City of Pittsburgh and our surrounding communities, but also as a major tourist attraction serving our sports teams and leaders such as Vice-President Al Gore and entertainers such as Wayne Newton and Michael Keaton; and,

WHEREAS, the Gateway Clipper Fleet since its beginning 40 years ago has grown to become the largest inland water fleet of its kind in the nation today, and provides jobs to over 80 full time employees plus 300 seasonal staff; thus,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join the Gateway Clipper Fleet in its celebration of 40 extraordinary years serving our community and beyond; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the weekend of May 23 through May 25, "Gateway Clipper's

40th Year Celebration Weekend" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Terry, congratulations on your 40th Anniversary. I hope everybody read the paper it really gave a great story but I would like you to say a few words.

Ms. Wirginis:

I would like to thank Council President O'Connor and the rest of Council for bestowing this proclamation upon us for the Gateway Clipper's 40th celebration weekend, fortieth annual year. Yesterday was our 40 years of cruising here on the river. I would just like to take one more minute to recognize my grandfather John Connelly. There are so many people to recognize but I am not going to take everybody's time to do it. But for having the foresight 40 years ago when Pittsburgh was still known as the smokey city and our rivers were still open sewers to have the foresight to put his money up and bring a boat in here from Lake Erie and sail it all the way, over 2000 mile journey that it took to get from Lake Erie to here in Pittsburgh and start that first season.

Nobody thought it was going to work including his bankers but as you can see we are still here today and we have grown. We have had great success and we have had had success as a family. I consider our very close family, my extended family here and Ron and Susanne and the other 70 full-time employees we have at the Gateway Clipper Fleet and literally hundreds of thousands of folks that have started their careers at Gateway Clipper as we have provided so many jobs for youth and they provide us so many services they have gone onto do their life work from when they started.

Again, I would like to thank City Council I would also like to thank the Board of Commissioners and the Mayor's office of the City of Pittsburgh. Everyone has proclaimed this coming weekend the 40-year celebration weekend. Again, that's on May 23, 24, and 25. In order to show our appreciation for our community so we can give something back to the community, this is going to be a great weekend for your kids and your families to come down for a boat ride. We are going to have all kids age 12 and under ride all sights and cruises this weekend over Memorial Day weekend for 40 cents. And that includes the lock and damn adventure cruises, the magical family fund cruise, the Goodship Lolly Pop cruises, Three Rivers sightseeing cruises, and all of our one hour sightseeing cruises. We even have put more on this weekend so we expect more people than ever.

In addition to the cruise to the low cost, the 40 cent of the cruises, we are going to have snack bar items for 40 cents including all Pepsi products, all hot dogs and popcorn. There can't be a better time than this, it looks like it is going to be a beautiful weekend again to

come down and help us celebrate.

Keep an eye on this coming month through the month of June for other special offers to help us celebrate. This gives you an opportunity to come down and see us and have a great value. The Post Gazette is going to have other offers coming up every weekend, and I would like you all to keep an eye out for those coming and come on down and have a boat ride and have a good time. Again, President O'Connor, thank you very much and thank you, Council.

Mr. Ricciardi:

I would like to take this opportunity to congratulate all of you for your fine service here in the City of Pittsburgh and for our region. It has definitely become a very popular service to everyone involved. It's an exciting boat ride and you offer just so much.

The Gateway Clipper is definitely an institution here not only in the City of Pittsburgh but I believe in South Western Pennsylvania. I just want to give all my thanks and greetings to all of you including two very fine gentlemen for all they have given to our city, and it is John Connelly and also my friend Gene Connelly if you could please send our greetings. Thank you.

The Chair:

If I could, steal one of John's lines he said the reason we are here in Pittsburgh is because of the rivers and that's what is going to really bring us back, bring the city back as a whole. He's been a big major part of that. And for 40 cents I think we will all be down, they have 40 cent Pepsi's and everything.

Mr. Ferlo:

The promotion that you are doing is a great idea. It's definitely going to help a lot of families and working people. I think we all want to applaud you for this great promotional event, it's really community friendly. Maybe you could give the phone number so everybody could know what the deals are and what the program activities are.

Ms. Wirginis:

Again the dates are May 23, 24, and 25, and our phone number is 412-355-7980. You can just come down any time during the day on either Saturday, Sunday or Monday and we have a lot of boat rides. We have really up scaled. I have to credit to Ron and Susanne here over the last couple of years we have made great, great efforts in many areas, but one of them includes additional entertainment on board the vessels from Rawhide the River Guide to more effective entertainment, clowns, over all entertainment, shows, and so forth. Virtually every cruise has some sort of additional entertainment on board. In addition to that we have free entertainment on the dock with free bands all weekend long. We have it every weekend. But we have it especially we are kicking off our season this year.

So, it is going to be great time and it really is a great opportunity for anybody to come down and make it very affordable to come on down and see our beautiful city from this most beautiful advantage point.

Mr. Ferlo:

Congratulations and thank you for giving so much back to the Pittsburgh community.

The Chair:

Would our guests from MADD please come up? That's the whole Memorial Day weekend, so it is really a great thing to do.

Dr. Arlene Baxter is the Executive Director of MADD, and Michael Humm is the Manager of Safety for RPS. This is our yearly kick off and I am certainly glad to have you again. I think you have made a few changes but let me read the proclamation. I hope the kids can pay attention to this resolution. It's very important, it will only take another minute. I don't know what your schedule is.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 437 WHEREAS, the safety and welfare of all Pittsburghers is the prime concern and deserves the utmost attention, and drunk drivers are causing death, injuries, destruction of property and tragedy to families of victims of drunk driving; and,

WHEREAS, Mothers Against Drunk Driving (MADD) was founded 18 years ago, and through wide acceptance of its precepts counts more than one million members, its volunteers across the nation dedicating countless hours to providing for victims and preventing further drunk driving tragedies, and serving a vital role in the enactment of more than 16-hundred laws; and,

WHEREAS, MADD Allegheny/ Westmoreland/Beaver Chapter is launching a summer long "KISS" (Keep It A Safe Summer) public awareness campaign in conjunction with RPS to make the driving public aware of the dangers of impaired driving during summer holiday weekends, summer vacation travel, and at a time when young people are out of school on the road. RPS, a company with an outstanding record of safe driving, is dedicated to the community and highway safety.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend MADD and RPS for sponsoring this worthwhile project as we urge citizens to participate in the public awareness campaign, display the traditional red ribbons, MADD's symbol of safe and sober driving and take part in the Designated Driver program in support of safe driving and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the summer months as "MADD's Keep It A Safe Summer" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Arlene, you have been very active. You want to tell us what is going on this exciting summer.

Ms. Baxter:

Our Keep it a Safe Summer Program is underwritten, completely underwritten RPS. Between the two of us we have been able to -- MADD and RPS -- we have been able to expand the program to encourage public awareness. With all the summer driving and a lot of the kids out driving we are saying designated driver and then end the summer safely.

Again, we are displaying red ribbons which were traditionally only done around holiday time, Christmas time, but we found a need in the summer as well to display that as a reminder to drive safe and sober throughout the summer season.

With that, I hope that you will all be displaying red ribbons and we will see them flying in Pittsburgh.

RPS volunteers will be giving out red ribbons in Market Square on Thursday along with a kiss, Keep It A Safe Summer, reminder in always. Thank you.

Mr. Humm:

RPS is one of America's leading transportation companies and as such it is only appropriate that we partner with MADD and show our commitment to keeping America's highways as safe as they possibly can. Through the timeless message of driving America's roads in a sober and responsible manner, I would like to thank Dr. Baxter for her outstanding leadership in MADD. I would also like to take a minute and thank the City Council for recognizing both MADD and RPS for this critical issue. Thank you very much.

The Chair:

Just for your information, ladies and gentlemen, those last two bills MADD and Gateway Clipper were sponsored by all Council members. I think on your sheets it wasn't printed in time. We have a few to be read into the record.

MR. UDIN PRESENTS:

No. 438 Whereas, on May 23, 1998 the Pittsburgh Bobcats Athletic Club celebrates its Fourteenth Biennial Reunion; and

Whereas, the Pittsburgh Bobcats Athletic Club honors KDKA-TV News Anchor, Brenda Waters, for outstanding work within the field of Broadcast Journalism and contributions to the Pittsburgh community; and

Whereas, Brenda Waters' work has earned her several awards, including "Who's Who Among Black Americans", two Associated Press Awards, the Mid-Atlantic Emmy Award; and

Whereas, Brenda Waters' contributions to the Pittsburgh community have been recognized through the Ebenezer Baptist Church 100 Outstanding Community Women Award and the Cecile B. Springer Womanpower Award; and

Whereas, Brenda Waters' active role within Pittsburgh community organizations such as the Kingsley House, Hand-In-Hand, Inc. and the Black College Spring Tour are an inspiration to the public that she both represents and serves;

Now, therefore be it resolved that, the City of Pittsburgh Council joins the Pittsburgh Bobcats Athletic Club in commending Brenda Waters for her exceptional work within Broadcast Journalism and her dedication to the Pittsburgh Community.

MR. COHEN PRESENTS:

No. 439 WHEREAS, Pittsburgh Cares is a non-profit organization dedicated to creating flexible, rewarding, and meaningful volunteer opportunities in the Greater Pittsburgh community; and

WHEREAS, Pittsburgh Cares will hold its third annual Servathon on May 30, 1998; and

WHEREAS, the focus of this year's Servathon is on community groups and their needs and this year's theme is "Building Community"; and

WHEREAS, the Pittsburgh Cares Servathon, now in its third year, will utilize 1,000 volunteers to complete neighborhood clean-ups and community center renovations throughout Allegheny County; and

WHEREAS, Pittsburgh Cares is partnering with the City of Pittsburgh and Partners in Parks in organizing projects for its 1998 Servathon; and

WHEREAS, the Servathon serves as both a way to raise funds for Pittsburgh Cares and a way to raise awareness about the merits of volunteerism.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the good work of Pittsburgh Cares and wishes it much success on its third annual Servathon.

MR. COHEN moved to adopt the resolutions.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of papers.

MR. FERLO PRESENTED:

No. 440 Resolution amending Resolution 338 of 1997, entitled "providing for Agreements and/or Contracts, for the Reconstruction of Frick Playground at Forbes and Braddock Avenue; and for the purchase of material and equipment for said project; and providing

No. 441 Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation in connection with the expansion of the South Side Riverfront Park.

No. 442 Resolution providing for a License Agreement with Duquesne Light Company to grant the privilege and license at its own cost, to install, use operate, maintain, repair renew and finally remove (1) pole, together with crossarms, cables and wires, two (2) anchors, guys and other appurtenances belonging thereto, upon, over, under, along, across and through certain property of the City's Volunteer's Ballfield No. 2, situated in the 29th Ward of the City of Pittsburgh, Council District No. 4, to accommodate power and lighting for this field.

No. 443 Resolution providing for a Cooperation Agreement with the Highland Park Community Development Corporation (HPCDC) relative to the administration of a state grant and the consequent restoration of the Victorian Gardens in Highland Park.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 444 Resolution granting unto Jeffrey S. Weinberg of 4634 Centre Avenue, an encroachment to construct, maintain and use at their own cost and expense, an illuminated plastic sign extending less than 12 inches over an 7ft. sidewalk in the 4th ward 6th Council District, City of Pittsburgh.

No. 445 Resolution granting unto Allegheny County Sanitary Authority, an encroachment to construct, maintain and use at their own cost and expense, a temporary Guard Station along Preble Avenue in the 27th Ward, 1st Council District, City of Pittsburgh.

No. 446 Resolution granting unto Max & Erma's Restaurant, Inc., an encroachment to construct, maintain and use at their own cost and expense, an exterior canopy structure at Penn Avenue and Stanwix Street, 2nd Ward, 6th Council District of the City of Pittsburgh.

No. 447 Resolution granting unto Pittsburgh Parking Development Corporation, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a vault which will house the electrical transformers for the Lazarus project at Oliver Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

No. 448 Resolution accepting the Dedication of a portion of South 20th Street, 16th Ward, 3rd Council District, City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. RICCIARDI PRESENTED:

No. 449 Resolution amending 668 of 1997, entitled "providing for the filing a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1995 Community Development Block Grant Program" so as to decrease a line item in the Department of Parks & Recreation (Youth Curfew Program) and create a new line item in the Department of Engineering & Construction (Overbrook Senior Center).

No. 450 Resolution amending 813 of 1996 "entitled "providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program" so as to reduce a line item in the Department of Parks and Recreation (Partner in Parks) and create a new line item in the Department of Engineering and Construction (Overbrook Senior Center).

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 451 Ordinance amending the Pittsburgh Code, Title One – Administrative, Article XI: Personnel, Chapter 185: Vacations.

No. 452 Resolution transferring the sum of $20,000.00 from Account 568500, Fund 1000, organization 103000, Sub-Class 160, Budget Year 1998 to Account 516000, Fund 1000, Organization 103000, Sub-Class 020, Budget Year 1998, Mayor's Office, City Information Systems.

No. 453 Resolution providing for the issuance of a warrant in the sum of $86,959.00 to Mary Sherrell, c/o Cynthia M. Daniel, in full and final settlement of the action filed at GD95-15992 alleging personal injury sustained due to a vehicle accident at Jacksonia Street and Brighton Avenue on or about October 15, 1994.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 454 Resolution authorizing the Re-Appointment of Mark Schneider, 7522 Graymore Road, Pittsburgh, PA 15221, as a Member of the Stadium Authority Board, term to expire December 31, 2002.

The Chair:

Motion to receive and file.

MR. UDIN moved to receive and file.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Udin:

I would request an Executive Session on the settlement for the accident. It's quite a substantial settlement, $89,000. I think we need to have further explanation on why the City is on the hook for that large of an amount.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Now move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 455:

Report of the Committee on Finance and Budget for May 13, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 404:

Resolution authorizing and directing the City Solicitor and Director of Finance to draft Anti-Windfall provisions from Allegheny County property re-assessments within thirty (30) days of final passage of this Resolution. **(SPONSORED BY MR. RICCIARDI, MR. DIVEN AND MR. ONORATO).**

Which was read.

Also,

Bill No. 405:

Resolution transferring the amount of $4,600.00 from Code Account 004606, Fund 1000, Sub 170, Account 582200, Org. 999200 to Code Account 481100, Fund 8710, Org. 420000, Budget Year 1998, for repair of a broken sewer line in settlement of a claim of Denise Bigley at 1302 Basin Street, Pittsburgh, PA 15212.

Which was read.

Also,

Bill No. 406:

Resolution amending Res. No. 447, Item I, effective 7-29-97, which authorized the sale of a vacant lot, 740 Hillgrove Avenue, 20th Ward, 35-N-122 (pt), to Vera A. Birmingham, to correct the lot size.

Which was read.

Also,

Bill No. 407:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales known as lien excluded properties, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", eff. December 11, 1984.

(A) 1706 Sandusky Street, Ext. 25th Ward, Block 23 C, Lot 97, being sold to Fineview Citizens Council, Inc.., $100.00 + Costs. Intended Use: Combine with other lots for Housing Development project in area. Council District 6.

(B) 353 Stratford Avenue, 8th Ward, Block 51H, Lot 215, being sold to Friendship Development Association, $1,000.00 + Costs. Intended Use: Rehab for owner occupied house with rental unit. Council District 8.

(C) 368 McKee Place, 4th Ward, Block 28L,. Lot 59, being sold to Oakland Planning & Development Corporation, $1,000.00 + Costs. Intended Use: Rehab for rental unit. Council District 6.

(D) 370 McKee Place, 4th Ward, Block 28L, Lot 58, being sold to Oakland Planning & Development Corporation, $1,000.00 + Costs. Intended Use: Rehab for rental. Council District 6.

(E) 3616 Frazier Street, 4th Ward, Block 29G, Lot 228, being sold to Oakland Planning & Development Corporation, $1,000.00 + Costs. Intended Use: Rehab for owner occupancy. Council District 6.

(F) 3508 Frazier Street, 4th Ward, Block 29C, Lot 52, being sold to Oakland Planning & Development Corporation, $1,000.00 + Costs. Intended Use: Rehab for owner occupancy. Council District 6.

(G) 3526 Frazier Street, 4th Ward, Block 29G, Lot 212, being sold to Oakland Planning & Development Corporation, $1,000.00 + Costs. Intended Use: Rehab for owner occupancy. Council District 6.

(H) 1311 Liverpool Street, 21st Ward, Block 22P, Lot 49, being sold to Manchester Citizens Corporation, $1,000.00 + Costs. Intended Use: Hope VI Program. Council District 6.

(I) 1402 Liverpool Street, 21st Ward, Block 22P, Lot 26, being sold to Manchester Citizens Corporation, $1,000 + Costs. Intended Use: Hope VI Program. Council District 6.

(J) 1333 W. North Avenue, 21st Ward, Block 7B, Lot 268, being sold to Manchester Citizens Corporation, $100.00 + Costs. Intended Use: Hope VI Program – Sideyard. Council District 6.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

Yes, thank you, Mr. President and colleagues. Colleagues, Bill Number 404 which drafts anti-windfall provisions here in the City of Pittsburgh and is sponsored by colleagues Onorato, Diven and myself and received preliminary support from Council member Jim Ferlo.

I would like to take this opportunity, colleagues, just to read two paragraphs of the bill. The City of Pittsburgh shall not derive windfall benefits from annual property reassessments in the tax year following an increase in the market or assessed evaluations in the City of Pittsburgh. The city shall reduce its tax rate for the purpose of having the total amount of taxes levied against the increased evaluations of the property equal to the total amount, which the City of Pittsburgh levied on properties the preceding year.

Colleagues, I would just like to take a brief moment and touch upon some highlights of the bill. It is my

feeling the number one the bill is taxpayer friendly, it's fair and it's equitable. Here in the City of Pittsburgh in all neighborhoods certain properties have been reassessed and their assessments have dramatically increased in the City of Pittsburgh. In the future all other properties in our city will be reassessed. I am confident in saying that the vast majority of those properties in the City of Pittsburgh will receive dramatic increases in their assessments.

What does that mean to taxpayers here in the City of Pittsburgh? That means that they will receive an increase in their tax bill. That their taxes will increase on their property, on their land and on their building. If we don't correct that injustice that unfairness, I believe, that we are part and parcel of a tax increase here in the City of Pittsburgh. That if we don't stop it, we also and I will say this very directly have been a part of a tax increase here in the city.

I listen very closely to some arguments that there are expenses, that we have to pay in the City of Pittsburgh, there are certain expenses that continue to increase in the city, be it labor expense, utilities or other expenses. I don't disagree with that, colleagues. What I am saying is that I believe we need to have a true honest budget here in the City of Pittsburgh. We need to deliberate on that budget. We need to deliver services and we need to tell the taxpayer, how much that will cost to deliver those services that we believe are needed and are just.

Then we have to look at our revenue stream and we have to hopefully maintain the line. But if we can't, then we have to tell the taxpayer that if you request these services, this is what it is going to cost you. Then we have to either keep the tax rate the same, or increase it. That's what I call being a responsible public servant. That's what some people might call being courageous about presenting a budget. Not just closing our eyes to what is happening here in the City of Pittsburgh regarding increase in assessment and then accepting the money through the back door, a tax increase, because that's what it is. It's a tax increase. When people pay more taxes here in the City of Pittsburgh, its not just because their assessment increased, it is not because the Allegheny County Commissioners or the courts are demanding reassessments, it's because we stood by and let it happen.

Colleagues, I have reviewed the record and the majority of us on this Council over the last year have not only condemned the process, but we have stated publicly that if need be we would reduce the tax rates here in the City of Pittsburgh. Because I think we all understood what was happening. What was happening was people were paying additional dollars. Those are dollars that we did not ask the public to pay through our deliberations when it came to the tax-hearing budget. I think it's very important that we send the right message out that we be proactive and realize what could occur. It effects development here in the City of Pittsburgh, many developers say it is just becoming cost prohibitive to continue, we know about the story about the developer in Lawrenceville that doubled his tax bill.

It also hinders people from fixing

their properties up, from improving their properties. I had the woman who called from the West End who said she is not adding a bathroom to her place because she is scared when the tax assessor comes what is going to happen with her tax bill? I see it in the South Side when a gentleman told me and it is part of the record, that he is not fixing up the exterior of his building because of the possibility of increasing his taxes.

So I am saying here, colleagues, is that we should have an anti-windfall provision in the City of Pittsburgh not accepting these new dollars that are coming in for this revenue stream that we did not request. But just as important, colleagues, that we did not make an argument for during the budget proceedings, we did not make an argument that we needed these additional dollars. So, I am saying is that no other administration, no other legislative body, be it on a local level, going to our school board, our State and even the Federal going back all the way to the history of the city has really stood up and corrected this unfairness in the system. The unfairness putting the reassessments aside, that's an argument too.

You can argue both sides of that you know, should people be reassessed should it be up to market value? I understand the argument on that side. This is something totally different. What I'm saying is we made our budget, we knew how much money we were going to bring in, we knew how much money we were going to spend, and now we are going to accept more through the back door. We can't be part of the process if we don't do something now; we are part of the process. The process is that we bought into additional tax dollars from our taxpayers in the city.

I will just end with this and then I will listen to everyone. Colleagues, I have been involved in several controversial issues since 1990. I have been on both sides of an issue voting yes and no. This is the first time I have received so many calls from my house just leads the issue, this definitely is ahead of all the other issues, and that includes the very controversial issue that was involved in 1990 and 1991 on this board. So I would just hope that the other people who abstained and I thank you for the abstention because I think you understood the process even though you had some legitimate concerns. I would just thank them and ask everyone involved to look back at some of our remarks and support this today. Matter of fact, I could have myself just drafted the anti-windfall provisions. I let the administration do that to give them some flexibility regarding the regulations. It is very clear in this and it's going to be very clear why I can't support the amendment that is going to be forthcoming from a colleague or some of my colleagues, our legislation, Mr. Onorato, Mr. Diven and myself, Mr. Ricciardi. The legislation that was supported by Mr. Ferlo actually states that we are not going to accept any additional dollars from reassessment here in the City of Pittsburgh.

Mr. Hertzberg:

Thank you. I am going to make a motion to amend by substitution with the bill that is in front of you once I get a second then I will talk about it.

MR. UDIN seconded the motion.

Mr. Hertzberg:

The amendment that is in front of you makes some changes that are designed really to meet with some of the problems that I had and the rest of Council or at least six members of Council had with the legislation as it was presented by Mr. Ricciardi. Primarily the changes are that this calls for a report on the impact and the feasibility of anti-windfall type of provisions and it talks about three potential scenarios. One being as Mr. Ricciardi mentioned where you would keep things equal at the end of the day once you checked out the increased assessments.

The second alternative being that you would limit it to having a five-percent increase in your revenues resulting from assessments.

The third item being a ten-percent increase in revenues. We have limited it also so we take out of the idea what assessments go up as a result of either new construction or expansion of existing construction. The reason that I can support this and I hope the rest of Council can support it. I think the concept is very good that Councilman Ricciardi is talking about. We definitely need to get a feel for what is resulting from increased assessments. It is something that we need to analyze but I don't think it is something we need to run in and jump on and bind ourselves to right now.

We need to get a better feel for what we are talking about and I think that's what this amendment by substitution would do. I think Councilman Udin made a very astute statement last Wednesday when he said this kind of seductiveness to jumping on board with this anti-windfall stuff. It is seductive, there is no doubt, it's going to be very popular whether that adds up to being brave and courageous I don't know going with something this popular. I usually have felt that it is kind of brave and courageous to do the other also. I think we need to take a look at what our obligations are as City Council members and figure out financially what is the most responsible thing to do here and also assess what is the real impact of going with a zero anti-windfall type of thing.

I think Councilman President O'Connor made some very good points when he talked about whom is the real beneficiary. I did some math and looking at this last year that we have here, we have a total increase between 96 and 97 of a million dollars that would mean and assuming that is all attributable tax assessment increases, I have no way of knowing that. Let's say it was, you can go within a half mill reduction from that and so for somebody with a $50,000 house, it is worth the market value of $50,000 we are talking about $6 for half a mill. That's what the reduction would be. Of course someone with a $25 million building we're talking about a $3,000 reduction.

So obviously the people that would receive the benefits more so on way out of proportion are those that are big real estate holders not your average homeowner.

Finally, you know the idea that

this is all kind of a windfall I think the whole premise here I think needs to be examined. We have to talk about property taxes and what they are. That's really what this is all about. It's the nature of property taxes they are supposed to keep up with the values of properties. It is actually a way of building in inflation in the natural, usually the natural increase in property values, and sometimes we have gotten decreases. Recently we did and it actually resulted in some assessment reductions and in some reductions in revenues for this city that we have had to struggle to deal with.

That's how the property tax system is set up. The only reason we could ever say there was a windfall is because the monitoring of the system has been so horrendous over the past no one has kept up with what the values of the properties are. In fact we had a freeze put in here that didn't let the system work the way it is supposed to work. If it did, there wouldn't be these massive increases here and there people would have minor adjustments if things were kept up the way they should have been kept up. They weren't, they should have been kept up. Had they been, I don't know that we would even be talking about this and things would adjust for inflation and increase in property values the way they are supposed to.

I think we need to examine that. I am hoping we can get support for this amendment by substitution. It is not saying the idea is a bad idea, it is just saying let's take a long look at it.

Mr. Udin:

Thank you. I think that first of all I want to commend Councilman Ricciardi for being astute about bringing this issue before us. Because we really do need a much larger discussion on the City's tax and policy and I hope that this will be the first foray into a larger discussion. Because we really need to discuss for our own understanding as well as the benefit of the public exactly what the city's tax policy and premise is. One of the most important tax bases that the city uses to run this city is the real estate property tax.

I take issue with the premise of my friend, Mr. Ricciardi, however, that an increase in the assessment is an increase in tax. It is not an increase in tax. It is just that. Buildings are bought and sold every day, especially industrial and commercial buildings. The assessment is an estimate of the value of the buying and the selling of those buildings. This city receives its revenue partially on the premise that the city needs and deserves a certain percentage of the money exchanged between the buying and the selling of these buildings. Unfortunately for years certain properties have been over assessed, certain properties have been under assessed. Mainly, properties have been under assessed and now we are starting to make corrections in those assessments.

But the city budget has suffered tremendously over the years not only from the loss in population and the revenue coming into the city treasury because of that population loss, but also because of the under assessment. If we are trying to make this city a competitive city, if we are trying maintain a quality

of life that will make people want to stay and make other people want come to this city, the city has to be able to make find ways of generating revenues that can keep the city a first class city. I think that it is a first class city, but it is slipping and part of the reason why it is slipping is because of the revenue decline coming into the city. I think that the city budgets especially facing a substantial structural deficit for next year that is anticipated we will be hard pressed to justify reducing taxes or reducing the millage or refusing to base our revenue stream on an accurate and current value of the properties in the city.

The reason why I support the substitution by amendment is because it sounds a clarion. It causes us to study the issue very closely, to look at various scenarios of keeping the revenue even or increasing it by 5% or increasing it by 10%. It's a cautious approach that causes us to study the issue systematically rather than jumping into a tax reduction that does not study the impact. We are going to have a very difficult time trying to make ends meet for next year, colleagues.

I think that if we tied our hands now it will be very much like the freeze that the Republican Commissioners imposed on the people when they took office and resulted in a substantial decline in the fiscal stability of the county government. I think we need to look at it very very closely, and if we are going to reduce the taxes or the revenue coming from the real estate tax, then I think it's incumbent on the supporters to identify where we are going to make up that loss from. I think it would otherwise be irresponsible to just reduce the taxes without indicating where we are going to make up the loss from. Thank you.

The Chair:

I believe the Commissioners lead the hundreds maybe thousands of layoff's and may be the problem we are in now.

Mr. Onorato:

I want to comment on the amendment and try to clear up some misinformation that I believe I heard here today. First let me say that one of the co-sponsors of the bill Mr. Michael Diven did call me today. He is home with a bad case of the flue or the virus he won't be in today. So, he won't be here to participate in this discussion. But what I want to talk about with this amendment and the bill as they go hand in hand is that first of all the bill that I cosponsored with Mr. Ricciardi and Mr. Diven is not a bill to reduce revenues. Let's get that straight.

This is a bill that will only take effect, if there is a massive reassessment or when the massive reassessment is over. If there is a massive increase in assessment in the city, we will balance that backdoor tax because of the increase in the assessment with a reduction of the millage to keep it at a net level, neutral effect to the point where it is incumbent upon the colleagues who sponsor this bill to come forward to say where we are going to find the lost revenues. Let me point out, the budget that we passed in 1997 has no growth in the real estate. So there is no revenue that is being reduced. We don't have to find any losses; this is

not equivalent to the 20% cut the Commissioners did. This is anticipating a possible gain in that we didn't anticipate in December, and that if its does come we want to tell the homeowners in the city we recognize this is a backdoor tax and we are going to go neutralize it.

If this Council does want to raise real estate taxes it will do it through the appropriate millage discussion. I want to continue to go on and point out that the philosophy of this city while we faced even worse times than the predictions of 98 through the Masloff administration, through the early years of the Murphy administration, where we were hearing 25 or 30 million dollar structural deficits. While we dealt with that issue, this Council including me unanimously or maybe eight/one vote but most of them unanimously supported Tiff's which directly told corporations we are giving you a break on real estate taxes because we want to grow the city.

The message out of the Mayor's office was grow the city. How come when it talks about the hard working, the fixed income seniors who have been paying the bills for years on their real estate when its their turn to help grow the city, we all say we need that money, quit being irresponsible make it fair. Make the policy fair. Under this proposal we're not even saying reduce revenues we are saying anticipate a backdoor taxes won't be acceptable we will deal with it up front with your taxpayers.

Let me also point out, another big debate that I think we unanimously supported or had overwhelming support in the storm of a major structural deficit. Mayor Murphy came over here early in his first term and asked us to divert $7.2 million of Rad money to develop a development fund. That's $7 million that would have been in the operating fund that we said no. We are going to bite the bullet and we had to go through some cuts. We put it into development fund so we can grow the city, so called grow the city and go out on a bond issue of about $40 to $50 million so that we can be in the game and try to compete. So I don't buy the argument when it comes to the residents who own property in this town that all of a sudden we are being irresponsible.

I think what we are doing is saying we are continuing with the policy. That we are in this for the long haul. The only way the city is going to survive as if corporations grow with the city but also if our neighborhoods remain constant, stable, and grow. Because I tell you right now, I see cracks, I see cracks all over this city in our neighborhoods and it is very disturbing, because no one is paying attention to the neighborhoods. This bill pays attention to the neighborhoods. It is very up front what it is doing.

The reason why I can't support the amendment is because under the three options two of the options are guaranteed real estate increases. One is five percent and one is 10%. I am not prepared to put my name on that, because I am not so sure I want to vote for that yet because I don't know if it is healthy. Because we have to recognize what the school board is doing and what the county is doing and what the city is doing. There are three different real

estate taxes and if you are in the City of Pittsburgh, there is a lot of disgruntled home owners right now because of the high school tax, but they look at it as one bill and it is a reality we have to deal with. That is why I have concerns about this.

I would also like to address the issue, who is really the beneficiary? I don't buy the argument that because somebody is in a million dollar home, versus somebody in a $20,000 home, they are getting a bigger savings therefore it is not fair. Let me point out, if you are making $100,000 or you are making $10,000 and if we should lower our wage tax half a percent, who do you think gets the bigger benefit? The guy making a $100,000 gets the bigger benefit; it is a straight rate. But so does the little guy, it is proportional it is all relative. If you raise somebody on a fixed income $50 a year and they can only afford a $10 increase, that is more of a killer to that person than the person who owns the million dollar home is going to go up another $3,000.

Don't look at it in those terms, look at it in the reality of it. Let me point out why I support the original bill versus the amendment, because the property taxes that is the most unfair tax that we have. The reason I say that compared to the other four or five taxes that we pay Federal income tax, State income tax and the local Pittsburgh wage tax the only way your taxes go up is if the individual can show that their income went up. There was a benefit to the individual, therefore they have to pay more taxes. Look at the business privilege tax, you don't pay more business privilege tax when your revenues go down you pay it when it goes up.

Finally, the sales tax. You only pay the sales tax on what you buy. But even under the sales tax the state recognized we have people on fixed income, we exempt clothing, we exempt food. So, if we are exempting clothing and food for somebody on a fixed income because we don't want them to be hit with a sales tax, why can we sit here and say well you are going to get hit with an increase in the property tax with reassessment, we don't care. It is the same person paying the bill. If they can't afford the sales tax on food and clothing, how can we expect the person on a fixed income to have a 30, 40, 50% increase in their assessment and pretend we didn't raise their taxes? I won't do that.

What this bill says in front of us that I am a co-sponsor on is that we are asking the administration to provide a draft provision. It does not change the taxes. It has to come back to Council to review the draft. So please don't forget that. Our resolution does not change taxes. It asks for a draft provision.

Finally, I would just ask that you remember that the bill also means that the draft provisions come back that council still always retain the right to adjust millage upward. This is just saying we are going to neutralize the reassessment and then every year we can look at our millage as we always do with all of our tax rates. So I urge people to please vote no on the amendment by substitution, support the bill because I really believe it only is asking for a draft provision and then we can really debate the revenue issues when it comes in front

of us.

Mr. Udin:

Point of order. I understood that there was to be another amendment that was to come from Councilman Ferlo and the only one that I see so far is the one from Mr. Hertzberg is there --

Mr. Ferlo:

No, this is it.

Yes thank you, Members of Council, first of all I want to thank Councilman Hertzberg for taking the time. I think he's written an eloquent and appropriate amendment which better actually indicates what I attempted to do in the heated debate last week. I tempted to paraphrase some concerns, so I want to make it clear to Councilman Udin, I believe that the amendment that Mr. Hertzberg is offering today better states what I was attempting to state last week at the committee meeting.

Both the original resolution that is being offered by my colleagues Mr. Ricciardi, Mr. Onorato and Mr. Diven and the resolution as substituted by Councilman Hertzberg, both resolutions are none binding in nature. Now, unless I am reading this wrong, everything that is in the amended bill, which I support as written by Mr. Hertzberg still achieves the intended result that the initial resolution suggests. That is they want to know specifically from the administration, what the bottom line requirements would be? So that there would be no increase revenue to lands and buildings, real estate taxes, result of any increase of what they characterize as a windfall provision, a windfall in the actual reassessments of property. But Mr. Hertzberg's bill looks at other scenarios that I think we need to look at.

I respect the fact that Councilman Ricciardi and Mr. Onorato I think are being strict constructionists here and they may not want to vote for this in the end, because I think they are establish or they want to establish a basic fundamental principle. I think they believe in their heart that it is an important enough principle and they want to remain so principled to only look at that issue. I respect that. I don't know that I agree with that and recognizing that the initial bill and this bill are non-binding I am wanting to look towards the end of the budget year at any different scenario about this general issue of what they have characterized as an anti-windfall provision.

It is very difficult as Councilman Udin has stated. It's wrong if not difficult to look at this issue of a so called windfall and real estate separate and distinct from all the other tax issues that we in local government in the City of Pittsburgh in particular have been confronted with. Let's be mindful. In my tenure on this Council we have lost to the city treasury upwards of $30 million with a reduction on two occasions at least during my tenure of a lowering of the earned income tax in city government. That was a tremendous loss of revenue to the city treasury.

We also reduced and eliminated, not reduced we eliminated the personal property tax in exchange for some of the

Rad revenue, but when you look at that we lost $4 million by totally eliminating the collection of personal property tax. We also did the School Board one better, we reimbursed the School Board $4 million so it actually was an $8 million hit to the city treasury in order to eliminate the personal property tax. That was that word collection on stocks and bonds and companies that may or may not have been in Pennsylvanian incorporated it was confusing and collective tax it was eliminated and it is a collectiveness it also raised $8 million. We lost about $7 million maybe $6 million with the 50% reduction in amusement tax from 10% down to 5%.

These are real millions of dollars I am talking about. So when you look at this issue that my colleagues are raising and I think it's appropriate that we get into a debate and look at it, and we need hard numbers which to me is what Councilman Hertzberg's amended bill does. I consider it a friendly amendment, looks at the different scenarios.

Let's keep in mind the situation that we are in. We are facing a 1999 possibly a $20 to $30 million because of the People Soft System and the lack of information. We aren't even sure what that number is right now, but it maybe anywhere from $20 to $30 million, real budget short fall in the operating budget going into the 1999 year. We have in the City of Pittsburgh as Councilman Onorato is correct the real estate by its very nature is a bad tax. It is often times hard to collect especially when you look at the tax being quantified based on the value perception value of property and we have seen and inherent flaws and problems in the assessments system.

I don't know if its going to get better with this company from Ohio or if it is going to get worse. Unlike income tax or some of the other taxes that are much more clear on who pays and how much we collect real estate by its very nature is onerous. An ideally at some point we should move to a more progressive tax in Allegheny County and the Commonwealth of Pennsylvania.

But I would ask that we not look at this issue in a vacuum that we be mindful of the real budget problems that we are facing in this city and that we be mindful of all the other progressive things that we have done in the city taxes. We have lost close to $2 million in business privilege tax through some of the exemptions that we approved we didn't come up to 50,000 business privilege revenue being waived for the first $50,000. That was a real loss of a million and a half to two million dollars into the city coffers. Now yet again, we are zeroing in on the real estate tax.

As a I pointed out in the Wednesday session once again the City of Pittsburgh's -- I don't mind as Councilman Onorato says biting the bullet, I have done that a lot of times, but I sure as heck don't want to take a bullet. I can tell you that much. I want to vote reasonably and responsibly. The only way to do that is for us to have the information Councilman Hertzberg's amendment does everything I think the initial sponsors want. I respect the fact that they're being strict constructionists and want to stand on their bully pulpit for anti-windfall, but let's let look at all

the other scenarios.

This is a non-binding resolution and it put the information on the table, it frames the fall debate and it requires a Public Hearing when and if we actually get to the point of voting on something that is actually going to have any impact. So I support the amendment.

Mr. Cohen:

Thank you. I agree with virtually everything Councilman Ferlo said. I very much commend Councilman Ricciardi for bringing this bill to the floor he responds to his constituents he does so very well. However, I am supporting Councilman Hertzberg's substitute amendment because I think that it gives us the flexibility to do the right thing.

I have a similar perspective from Councilman Onorato that he made but I end up with a different result. The similar perspective being that we here always are trying to balance development of the city with maintaining city services and we know that city services are at the margin right now, maybe beyond the margin. So many places that I go I hear people say why can't I get my street resurfaced, why can't we get more police enforcement. Why can't I get that tree trimmed? Why can't I get the building down the street or the house down the street that looks like it is coming apart why can't I get it inspected and enforced? Our city services are at the margin and we have seen the anatomy of bad government across the street where the republican majority cut property taxes and can't get the grass cut in South Park.

So I guess my view is unless we know what the financial impact is going to be on our city services, that it would not be prudent at this time to vote for this bill. I understand that the bill is non-binding but it is certainly the first step towards binding us to a reduction in property taxes because it's says it's very clearly. The city shall reduce its tax rate for the purpose of having the total amount of tax levied against the increased evaluations of the properties equal. That's what it will require the city to do.

I just can't do that without knowing what the financial impact of that would be. We really haven't seen the figures to know what the impact would be. Especially at this time, and when I say at this time, I mean that it is a time when government officials are stepping back and looking at the tax structure. There was just legislation passed in Harrisburg I don't know about you but I need to certainly study that. That gives local government apparently local government more power to change their tax structure.

There is a big vote tomorrow on the Home Rule Charter and whether you are for it or against it. It certainly will effect the way this area will be able to put together its tax structure. Most of all in terms of city government, we don't have any numbers as to what our budget figures are because of the whole People Soft fiasco. So for us to make a major budgetary decision here without knowing what the revenues are or what even the expenses have been from January 1 to May to today, May 18, I don't think would be responsible.

On the question of property tax versus wage tax, we need to look at it historically a little bit. I think it was 1988 when the tax swap occurred. That is lowering our wage tax and raising our property tax and the reason that was done was because in competition with other communities around Pittsburgh, our wage tax was much higher and our property tax was more in line. That was the reason that this was done before most of us were on city council. It is that kind of debate that we need to have. Maybe Councilman Onorato is right about the property tax. I think he makes some good points about it. But let's remember why the wage tax was lowered in 1988. Because it was just way out of line. For us to lower the property tax, then either we be totally irresponsible and not be able to provide city services or we raise the wage tax again. Are we willing to raise the wage tax? I don't think so.

So it is that kind of debate that I think we need to enter into before we head along this path. So I think Councilman Hertzberg's bill gives us the flexibility that we need to do the right thing at the right time.

Ms. McDonald:

I will try to be short there has been a lot of time. When it comes down to money, that is what prompts a lot of debate. I would think that the amendment that Councilman Hertzberg has drafted actually allows for Bill Number 404 to come to fruition, to be passed. Simply because many of us did have concerns. To Councilman Ricciardi, Councilman Onorato and Councilman Diven who is not here bringing this bill forward basically Council is ready to vote on some type of ways to prevent the city from making a total windfall off of people's reassessments in their properties values. It really does. There is just one difference.

This substitution allows for people like myself to make an informed decision. It feels good to be able to lower people's taxes if and when at all possible and whenever it is possible, but that is a good feeling and I would like that to be coupled with some sound fiscal analysis. So, we are not making decisions just because they feel good, but because they make sense fiscally.

One of the concerns I have when this even came before us is what is a definition of a windfall? Maybe I am ignorant; maybe I need to be an attorney to understand what a windfall is. Maybe there is some type of legislation that absolutely defines what a windfall is, but to me it figures into the whole scenario, the whole picture of who is receiving it. If I am a homeless person and I find a dollar on the street, that's a windfall for me. If I am somebody going around making a $100 grand and I find a dollar, that's not a windfall. So again, it is a matter of putting it into perspective.

The city needs to be that entity that is included in the whole picture of things. Where are we going to be as far as our finances whenever these reassessments come our way? Whenever we are able to see some increase revenue, I don't know what the city is going to look like. Are we going to be like a homeless person? Are we going to look like a hundred grand a year? I don't know. The first draft really

was binding according to my understanding of the English language as Councilman Cohen said, the City of Pittsburgh shall not derive windfall benefits, shall not sounds like it is binding to me.

That was my major concern that I had last week, is that it tied my hands as a Local legislator and I don't like to have my hands tied when it comes down to making these types of decisions on people's taxes. But this allows us to make an informed decision. One of the questions also in terms of what is a windfall, is the question of when is the City going to see the completion of their reassessments? I mean the entire county is being reassessed. I don't know the time frame. I am not privy to that information as to a schedule as to when we would even see it. Is it going to be next year? Is it going to be the following year? When is the cut off time where the re-assessors are going to say we are going to do all of them? We are going to complete it by such and such time. I don't know that.

I think they would give us a preliminary year but you know, how do we know? So, I think this slows us down, it gives us some information, and something we can chew on as we deliberate and in terms of what should we do in terms of the mills. My last question if someone can explain this to me. When we receive from the Department of Finance the list of the millage, the assessed values, the total assessed land value that we have in the City of Pittsburgh, it always showed an increase in revenue, no matter what. Now, if the millage is not increased in years, and if the assessment values have become stagnate which is the point of contention right here, they have been stagnate, which means they haven't changed in years. Then where is this increase in revenue coming from?

So, this legislation really allows me to go back and ask these types of questions so we can fully understand what are we doing, where are these revenues coming from. I have no problem with inflation and that you are always -- I mean bread is not going to be the same price next year as it is this year. I have no problem with inflation, but I need to understand what is a windfall and this legislation allows me to give a better evaluation of what it could mean.

The Chair:

I also will be supporting Mr. Hertzberg's amendment and I want to commend the sponsors of the bill. I think on the surface it is positive. But I still haven't been convinced and it may take a couple of hours of sitting down and working over the numbers that where I think the idea was to help the people who had really been getting gouged by this new assessment where they are going from 400 to 800. But once you just lower the millage I still don't see where it's helping them. It may help the big corporations downtown the people who live in bigger homes, but I don't see it helping the guy or the lady who has been doubled or tripled their assessments which we all agree is unfair. I don't see them getting very much of the savings.

I think if we looked at anything, I realize going back for evaluation I think is the key answer, how can we prevent

this windfall gouging of a few people? I think that's the key. So that part I really support you on but the end result is just lowering the millage for everybody I don't know that that is the right answer. I don't believe it helps the people who we are intending who brought this to a stand still.

I got some bad news. A little bird told me yesterday on the phone that possibly the school board is looking at raising millage. So, I hope we don't have that problem to deal with again in January. Just be on guard folks. We have to be very careful of what is going on the big picture here.

So, I am supporting this legislation. I believe it gives time for the administration to evaluate and the feasibility is the key issue. So I hope everyone supports it.

Roll call vote on the amendment.

The ayes and noes were taken accordingly to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Udin	Mr. O'Connor (Pres't)

(Mr. Onorato, Mr. Ricciardi voted no.)

The Chair:

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Mr. Ricciardi:

Thank you. On Bill 404, Colleagues, I am steadfast in my opposition to this bill supporting the original bill by sponsors Diven, Onorato and myself. The reason is that I firmly believe in my heart that we should be at neutral anti-windfall provisions. This particular bill actually looks at a tax increase of either five or ten percent. I don't feel that my name should be on or my support should be supporting any piece of legislation that is looking at any type of increase. However, I would like to go extend this to Councilman Hertzberg. I am looking forward to working with you in the Finance Department on these numbers. So I hope some sort of committee is set up that I can take part in.

The Chair:

I believe -- I will let him speak for himself. He's only looking at a feasibility and an evaluation. Even at your bill, I think that's what we are trying to say. Evaluate it and come back with the recommendations. I want to know before I support this I don't believe it helps the people you intend to help. I think I agree with what you want to do, you don't want to hurt the person who is being doubled. I don't see this doing that. I hope Mr. Onorato is an account, I would like to spend more time with you and I think you with the administration to see how that's going to help the small guy and not only the big guy.

Mr. Onorato:

I am actually going to vote yes because Councilman Hertzberg under

Item A pretty much gives us an option for our original bill. But I wanted Councilman Ricciardi to know that he still has my entire full support, that I will never support B or C of this particular bill this time.

Mr. Hertzberg:

I just briefly I just want to say this amendment also is clear on what we are talking about by anti-windfall and that it takes out of there increases an assessments that are the result of new construction or expansions. So I think that part needs to be spelled out, it's spelled out now.

I also would just like to comment about and remind people that seniors are protected already under the Act 77, the Regional Assets District set up. Their assessment if they have lived in their homes more than ten years and their over 60, I believe the age is, they are then their assessments are then frozen at the 1993 value, so that would be a direct protection there. There is also protection in the anti-gentrification provisions that this city has and finally there are protections in the Pennsylvania, the states senior citizens state tax rebate program.

The Chair:

Again, I think that was championed by Mr. Ricciardi.

Roll call vote. Will the clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor (Pres't)

(Mr. Ricciardi voted no to Bill 404.)

Bills have received the legally required number of votes and is passed finally.

MR. ONORATO PRESENTED:

Bill No. 456:

Report of the Committee on Planning Zoning and Land Use for May 13, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 403:

Resolution providing for an agreement or agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh Residential neighborhoods meet the impaction criteria as specified in the Residential Parking Permit Program Ordinance, Chapter 594.94, in Order to qualify for designation. Cost not to exceed $15,000.00.

Which was read.

The Chair:

You have heard the reading and

title of the bill, any discussion on the bill? Bill is now ready for final action, all in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES Eight NOES None

Bill has received the legally required number of votes and is passed finally.

MS. MCDONALD PRESENTED:

Bill No. 457:

Report of the Committee on Parks, Recreation and Youth Policy for May 13, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 370:

Resolution authorizing the Mayor, Director of the Dept. of Parks & Recreation and the Director of Department of Public Works to enter into an Agreement with the Pittsburgh Parks Conservancy to utilize the latter Organization's funding raising and planning capabilities for the betterment of the City's four regional parks. (HEARING HELD MAY 12, 1998).

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Udin:

I want to offer an amendment, if it is appropriate, if we could suspend the rules to allow such an amendment without a written advance.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Udin:

In Section 2, Item 6, the language of the bill only allows the Park Conservancy to offer suggestions. That was not the intent of my amendment at the discussion table. The language that I intended was that to the extent that additional resources could be available, the Conservancy could implement improvements in Capital and Operational needs of other neighborhoods not just offer suggestion. So my amendment would be to strike the words offer suggestions and replace them with implement improvements in the capital and operational needs in neighborhood parks.

Ms. McDonald:

On the amendment, it sounds good but right now because this is a cooperation agreement legally binding upon the city and Pittsburgh Parks Conservancy, I would hate to postpone this again another day but I could not support this at this time. I would rather get some type of confirmation that that is not only doable but feasible within the context of the original agreement. I don't want to push one issue and compromise the entire agreement.

So, I have to go back and I would like to ask them. I would like to get some type of affirmation. I have personally no problem with it, but again I would like to see what the Conservancy has to -- feels about this because again this would absolutely be mandating, that if there are additional resources where they have to put them. I don't really want to tell them where to put them. They're raising money for our Rad parks their doing a favor for us. I don't think it's prudent upon us to sit there and dictate every -- if you have additional resources you must put it here. They don't have to raise the money for us. Actually they have got the ball. It's been in their court their helping us we're the cash strapped city.

So I would like that if there is going to be a really a cooperative agreement that both parties be convened. This is Councilman Ferlo's amendment. I had no problem with all six of the amendments; I ran by them, they're fine. Now I was prepared to vote on it as is, but I do understand Councilman Udin's concern because that is what he said last week. I just don't know if this is necessarily doable. I would feel more -- I would have to abstain. I would have to feel a little bit more comfortable after talking with the Conservancy.

Mr. Ferlo:

I was wondering, could Councilman Udin -- first off I wrote these six up and tried to best represent what I thought was the point being expressed at the committee. Apparently that didn't work. But could we get -- I didn't understand fully the wording that Councilman Udin is suggesting.

The Chair:

Or the intention. I am confused on the intention of this. Could you please repeat your wording?

Mr. Udin:

The intention is quite simple and is consistent with --

Mr. Ferlo:

Just give me the wording. What is the wording you are suggesting?

Mr. Udin:

If I may state it in my own words, Councilman Ferlo?

The Chair:

This is why we should have it in writing, but go ahead, Mr. Udin.

Mr. Udin:

The intention is consistent with

the estimate from the conservancy. That if additional funds could be available they could be diverted to other neighborhoods parks since so much is coming up from the Rad fund and other funds into the regional parks that additional funds could be raised for specifically for other neighborhood parks.

The intention of my amendment is that if those additional funds are raised, that they could actually implement some improvement in the parks. The way this amendment is written here, it just says that even if the funds are raised, all they would do is submit suggestions. What good is suggestions? You don't need to raise funds to submit suggestions.

The intent of being able to raise additional funds, there may even be communities that are organized around neighborhood parks who want to raise funds themselves and leverage them with other additional funds that the conservancy could raise and not touch any of the region park money. I am just talking about additional resources and if those additional resources are raised, they should not just result in a suggestion, they should result in some improvement, that's the intent.

Mr. Ferlo:

I still didn't get the answer to my question. What were the words? But what were the words, I didn't hear them?

Mr. Udin:

Strike offer suggestions and replace them with implement.

Mr. Ferlo:

Can I ask another friendly amendment, can we say assist in the improvement because the other parks do have a master plan --

Mr. Udin:

Does that mean you strike offer suggestions?

Mr. Ferlo:

No, I am further trying to clarify and fine-tune your suggestion. If we use the phrase instead of offer suggestions for and put in assist in the improvement in the capital and operational -- assist in the improvement. I think what the administration is attempting to do with partners in the parks is develop a model similar to the conservancy for the other non-Rad parks. That is that there would be community involvement, there would be an educational involvement, there would be an institutional commitment from stakeholders who utilize that particular park. So it may not be -- unlike the Rad, and unlike the conservancy and the Rad focus for the four regional, I think what Mr. Udin's suggestion is that how do we get the conservancy also to concerned about the other parks?

I would suggest that we use a phrase assist in the improvement that they may be working with others who also are involved and enlisted by the administration.

Mr. Udin:

Do we strike offer suggestions?

Mr. Ferlo:

Yes. I am suggesting that we strike offer suggestions and put assist in the improvements.

Mr. Udin:

Accepted.

Mr. Ferlo:

The operative thing here just to speak on the amendment I would ask support for it. The operative thing here is still is going back to Councilwoman McDonald's concern because I think it's appropriate. The first phrase to the extent possible or deemed appropriate, what I am applying here is that the Conservancy Board has to go through their own due diligence. They may decide strategically that for the next ten years or 5 years or whatever, that the only thing they want to focus in on and they can't bite off more than they can chew is the four Rad.

So, I think that's our safe guard. This is asking for the board to consider and if they deem it appropriate based on the future strategy or future resources and then its reinforced by Councilman Udin's phrase that they would actually assist in the improvements. I think both concerns are being met here with this wording.

The Chair:

Can I follow up? I am agreeing with the intent if I may interrupt before you. I think and I will go back a couple of years when maybe ten years when no one paid attention to the parks at all, especially the neighborhood parks, and at least this Mayor and this Council is doing something about all the neighborhood parks.

There are 160 parks in the city. So that is already being taken care of. But what I think what you are suggesting is so five, ten years from now if when there are cut backs. The parks aren't the first ones to cut or if they are the regional asset group or this group would have something to say and hopefully be involved with all of our neighborhood parks. But their initial mission was actually Schenley Park and I don't think that was right I think putting the four regional parks together is the right thing to do. But I don't know how thin we can spread them in the beginning.

Mr. Ferlo:

My only point is I think both Councilwoman McDonald and Mr. Udin are correct. We shouldn't close out and write this final chapter on this whole process. There is fluidity here. You could conceivably have a situation a few years from now if we don't take all the Rad money for the Pirates and the Steelers -- you could conceivably have a situation where someone like State Representative Readshaw, could be back and suggests that there be a Rad funded park south or west of the river. It is not inconceivable that either one or a contortion parks could be put together and then at that point maybe the conservancy would also want to include Phillips Park or whatever. But I wouldn't want to close the book on that. This leaves a fluid situation where that could possibly happen.

Mr. Cohen:

Thank you, Mr. President. I can support Councilman Udin's amendment so long as I have some read from the Parks Conservancy, that they can accept this. And that's what we said last Wednesday is that we are to contact the Parks Conservancy and see whether this and the other amendments but particularly this one I think this is a more controversial one, is acceptable to them.

Folks, we have to remember what this is all about. This is a group of private citizens who have gotten together and said we are going to help you do your job. We are going to raise money, not taxpayer's money, raise private and foundation money, to be able to rebuild and restore our four regional parks. Originally they did this to restore and improve Schenley Park. There is nothing wrong with that. In fact, it's laudable that they could go and say we are going to raise millions of dollars to restore Schenley Park.

Well, the city came and said if you want to enter into an agreement with us you have to do it for the four regional parks, and the city was right in that position. They agreed to that and they said okay we are going expand that, we are going to quadruple our fundraising efforts be able to do it to the four regional parks. Now, we are saying not only the four regional parks, but if you have money left over and I realize that's an important point here, we want you to do this for the smaller neighborhood parks as well. I am all for it so long as this group of private citizens who are volunteering to do this are for it.

It doesn't have to be in writing, I don't mean that, but as long as we have some verbal response from the Parks Conservancy that this is acceptable to them, then I can support it, if not then I can't.

Mr. Udin:

Point of clarification. They were asked during the Public Hearing, both when from the podium and when they sat at the table, whether or not they thought that this favor was doable. They indicated that they did. I am sure that the transcripts will show that. But colleagues have my assurance, that if we get indication from them that it is not doable, I will withdraw it and we will find another way to do it.

Mr. Ferlo:

Again to clarify the phrase, the operative phrase here is to the extent possible or deemed appropriate. This really is a prenuptial agreement for a future marriage involving city government and the citizenry, regarding the parks system. The way this agreement is the Mayor with confirmation of council agrees to who the Executive Director is, five boards members and there are so many direct day-to-day operational involvement with the conservancy, the Parks Director, the Public Works Director, Engineering and Construction Director.

This is really creating and better defining what the marriage vowels are going to be for this new relationship. The operative word here is deemed appropriate; they would have to agree to this. So I think we have both safeguards

here.

Ms. McDonald:

Thank you, Councilman Ferlo, for those words. That, because you elaborated to read the prefaced part to the extent possible or deemed appropriate and to assist it, could be implement moneys, it maybe some in kind services, we don't know. But it really fits the notion that Councilman Udin has been persevering to help all of the parks not just the four Rad parks but there are many parks in neighborhoods that also need help. To try to get an entity to look at our neighborhood parks as not as second feature but that they are also important, no different than the Rad.

So, I commend Councilman Udin for his perseverance in getting some stronger language and I thank you Councilman Ferlo for all six of his amendments. It gets City Council more than anything else in a loop here in terms of master planning and in terms of expenditure of revenue that is raised.

The Chair:

On the amendment, all those in favor.

Which motion prevailed.

The bill is now ready for final action, all in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Seven NOES None

Bill has received the legally required number of votes and is passed finally.

MOTIONS AND RESOLUTIONS

THE CHAIR PRESENTED:

No. 458 WHEREAS, the 31st Ward Citizen Council is a community based organization of good standing which serves the interests of the citizens residing in the neighborhoods of Lincoln Place, Hays and New Homestead; and,

WHEREAS, the 31st Ward Citizen Council desires to operate certain small games of chance and/or conduct raffles to generate funds for programming to further its purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh hereby recognizes and declares the 31st Ward Citizen Council to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

(Ms. McDonald took over the Chair)

MR. FERLO moved to adopt.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Colleagues, I would like to take a moment to talk about the proposed Home Rule Charter which is to be voted upon tomorrow and I am willing to talk about the particulars of the bill, but I want to take a moment to talk about the process. At the very beginning I found it to be a very lively informative debate. At times heated but very respectful. I hopefully believed that it was going to continue that way. But unfortunately over the last few weeks I think it stepped acrossed the line.

I think it became very spiteful, very mean, mean spirited and very personal and I think that's a shame and that's a disgrace. But I am very proud to tell the citizens that it did not come from the Votes No Home Rule Committee, which I am a member of; instead it came from the Allegheny 2000 Corporation Committee. Let's talk about just the commercials and this piece of garbage that I received in the mail over the weekend. It talks about the greedy career politicians.

So I thought to myself who are the career politicians and let's talk about that because I know Councilman Hertzberg and myself we are on the Vote No Committee, we're sort of new on the block, so I went back to some correspondence Madame Chair. Both pieces of correspondence went to the elected officials and committee people, democratic committee people in Allegheny County. They were delivered the same week. So we have sponsors of the Vote No Committee, of which we have 27 and then on the Allegheny 2000 Corporation Committee for their letter we also have some signatures. I added up the years of service. Let's see who the career politicians are, they keep saying the Votes No Committee. Well on the Vote No Committee you have 300 and 15 years I consider public service, but if they want to take the negative part of it, you 315 years of services. You have 27 individuals on the committee. That averages out to 11.5 years per person an average.

Their stationery that went out the same week to elected officials you have 275 years of service by 12 individuals, twenty-three years of service. So the average on our committee going out to elected officials and committee people, we averaged 11 years. Their committee, they averaged twenty-three years, double our average. So who are the career politicians? I am talking to the viewing public here and telling you that the career politicians are the people who are pushing for Home Rule tomorrow. Let's take it another step.

To the best of my knowledge all 27 individuals on the Vote No Home Rule Committee, none of the individuals have stated in the past or the future either publicly or in the halls in the City County Building that they're running for the Chief Executive position that will be set up, none of them. But if you go to the Allegheny 2000 Corporation Committee, a handful of them have stated publicly, yes they're running for that Chief Executive's position. The other handful through their supporters

are saying that they also would like to run for the Chief Executive Committee and they're putting out feelers.

So who really are the career politicians? Also, if you look at this piece of garbage, I have never been involved in a campaign that put out this kind of distortion and personal a tax other colleagues. If my name was part of that other committee, I would have withdrawn it immediately.

I have been involved in three or four personal races, never have received this type of garbage. Look where it says who endorses what. It says the people endorsing or the person endorsing to vote no is Tom Flaherty and his career politicians. Tom Flaherty is not by himself, I will tell you who Tom Flaherty is with. Tom Flaherty is standing with such esteemed individuals and organizations such as the Allegheny County Labor Council, the Umbrella Organization for all Labor collective bargaining units in Allegheny County, the three local Teamsters, they say teamsters support them, that's only one individual. The Allegheny County Retirees Association, all veterans groups and American legions in Allegheny County. The democratic party on a vote four to one at the last endorsements and several of AARPS in Allegheny County, the American Association of Retired Persons. So Tom Flaherty is not alone.

On the other side very very few organizations. So again, another distortion. But, colleagues, more importantly personal attacks on one of our colleagues. If you are an elected official either Federal, State, County, Municipal, and Corporations spend $2 million to degrade you, to embarrass you, to pull you through the mud. I think that's a pity, that's a shame. That's unheard of. It is obscene that they would spend $2 million not just on the vote yes which I think that's a big amount of money to spend, I don't see the media calling for reform and campaign spending, and they're spending $2 million. But just the continued attacks on Tom Flaherty I think is a pity and a shame.

I know this individual, we needed a spokesperson, he marched to the top of the line, and said I will do it. He was recruited to do it. He didn't ask to do it. But the corporation spent $2 million. And that brings something up that I just heard at a meeting in the south side a few days ago. Anyone who is kicking in $75,000 each, Councilman Hertzberg kicked in $500, I kicked in $200. That's $700. That's something we thought is fair. Why would a corporation kick in $75,000? Well maybe there is something there about this income tax, maybe they're right.

Maybe the Vote No Committee we are right after all. Maybe the seniors and others in the working pool and the middle-class are going to get real hurt in this, but I am just looking at the process. I think it's been very mean spirited on the other side. I am surprised the media doesn't raise the issue. I just want to personally thank Tom Flaherty for stepping up because if the Corporation spends $2 million they could have taken anyone's name through the mud including mine. I just think it's wrong, and I personally am just voting no, my good friends and supporters I believe are voting no but I am looking at the process

and the lies.

The career politicians the figures show something totally different. I am looking at the lies that were put out and I just want to say I hope others vote no on this.

Mr. Ferlo:

I have been uncharacteristically quiet over the last several weeks on this whole issue of Home Rule for a number of different reasons. First and foremost, I thought it was important not to self publicize the process or the issue itself and really allow both sides not only those who are the proponents be they elected officials or corporations or Michael Lamb or anybody else, the right to do what they felt they needed to do to explain the issues of the public. As well rightfully my good friend, our City Controller Mr. Flaherty is not alone, he has a very broad based coalition of elected officials, rank and file committee people, trade unions, senior organizations, you name it. They are really a broad-based grassroots coalition of concern and opposition to Home Rule.

But, I have to say I believe strongly that the Allegheny 2000 Committee if that's what they named themselves, have engaged I could best describe as propitious wrong in this past week's activities. I was personally offended by the advertising commercial attacking not only our City Controller, Mr. Flaherty, but just miss characterizing their opposition of concern on this issue of the Home Rule. I have been bombarded in my office, my staff and I have had calls to my house, out in the community, I have been in touch with several hundred residents in my own Council District, because I have had a number of events like this past Saturday at the hundredth anniversary party of the Library.

I have to honestly say despite the million dollars plus, that the corporate community has spent on this campaign, I would say about 50% of my constituents -- this is a very subjective poll that I have taken in terms of my being out in the community, so much in the last couple of weeks. I would say 50% are in favor, somewhat of this charter notion. I would say it is probably equally so that about 50% are in opposition. But I would say and I know 50% and 50% is 100, but if I had to go by numbers I would have to say the vast number of individuals that have come up to me or called my office are actually undecided, and are probably going to vote no. No one has effectively explained to them what this issue is all about.

Unfortunately, I think the tone of the campaign as Mr. Ricciardi has spoken eloquently about just a few short minutes ago, has taken a turn for the worse. So people are not able to even rise to the occasion to vote intelligently on the issue and I think in the end and a number of those individuals are going to vote no tomorrow. I have to say I am going to be in that category, also for a number of good reasons.

First and foremost, let me try to go back to the issue and I am going to explain how I am voting. I am not encouraging or telling my constituents either vote yes or vote no. That's their own prerogative, but given the fact that

so many have called me asked me to please explain my position, I want to make it clear and I came to this only in the last few days, because I wanted to better understand. I read the Senate Bill too, which is a tax bill, which one side says nothing to do with this issue. Mr. Flaherty believes in his heart it has a lot to do with issue.

I read the enabling legislation statute, and I read the proposed Home Rule Charter. First and foremost is the fact, and I have to agree with the opponents of the proposal. I do not understand why we must elect a Chief County Executive, which would be the equivalent of what we would perceive as the Mayor of the County. At the same time at least in the Home Rule Charter proposed, define this so-called person who I think is going to be more of the career politician than anybody else and that is the County Manager.

I think there is going to be inherent conflict and confusion in the elected Chief Executive role, the County Executive, and this very unclear, undetermined position called the County Manager, who at least right now is perceived to have most of the power from what I can read in the actual language. I think there is going to be inherent conflict that we elect the Mayor, we elected Tom Murphy if we don't like Tom Murphy four years from now, we will unelected him.

While he is in office, we give him organizational resources, he can hire a deputy Mayor, one or two, he can hire a Parks Director, he can hire a Public Works Director. I don't know why we have this stipulated position which I think is going to inherently in conflict this position known as the County Manager. It really does not make any sense to me, and I believe had we gone through an actual legitimate Home Rule Commission process and study effort, I don't know that that would have been presented to the voters. I think a different scenario would have been presented. I do not support the notion of this voluntary 15 member Council. I do not think it is going to be effective and we aborted the process.

We should have had the ability for the public and stakeholders to debate this issue of the legislative versus the executive. The part I like in the Home Rule notion, which I do support, I think it is time for the county to have an executive roll and function and a legislative rule and function. I support that. I was a proponent as far back as 1970 in this city in support of our own Pittsburgh Home Rule Study commission and eventual adoption of Pittsburgh Home Rule. That whole process that we went through in the early 70's in Pittsburgh, unfortunately we have no opportunity and have not had an opportunity because of the imposition and the manner in which this whole process unfolded.

I think that's unfortunate and I think that's really why you have the greater percentage of the voters out there scratching their heads because they have not been invited to buy into the process. They don't exactly know fully what all the details are and they don't appreciate the ranker on each side as it goes into tomorrows May 19th primary vote.

We have had unlike in the City

of Pittsburgh where we had strong neighborhood based groups in the 60's and the 70's in the County. I have to be respectful of not only the Council government role but many municipal officials have been elected at the local level representing the other 129 communities outside of Pittsburgh. I think there had been an actual legitimate Home Rule Study Commission process. I think there might have been a way for the Council, governments or these local municipal township officials to maybe represent the bottom of the pyramid for some type of a legislative input.

The voluntary council is not going to be work, I don't think it is going to be productive, and I think it excludes and creates unnecessary division between local elected officials that are elected at the municipal level versus local township's Mayor's supervisors, and the like. So I have a real problem with what is envisioned here. It is going to be a voluntary group and it really is going to be controlled by this manager. It is not going to be a strong legislative Council similar to what we have in the City of Pittsburgh. So I think it is just ingenuous to suggest that this legislative Council, the way it is envisioned under the proposed Home Rule is going to have the ability to be legislative, that is just not the case.

We keep talking, I heard the Allegheny Institute think tank people talked about how they liked this because it has citizen referenda. You know, having petitioned in the hard winter months, not only for the Civilian Review Board but other issues previous to this, as far back as the formation in my opposition, originally to the creation of the Water and Sewer Authority in the 80's, it is very difficult for any citizens group to collect anywhere from 40 to 60,000 signatures in the dead of winter in order to put a referendum on the ballot.

So this is a kind of a lofty notion about citizen's participation and democratic process and the public being able to initiate citizens referendum sounds great, but a 5% threshold representing the vote in the previous gubernatorial election it is not easy to do.

Anybody whose done petitioning knows that if you want 40,000 unchallenged signatures before the Court of Common Pleas Election Judge, you better collect 80 or 85,000 signatures on a petition. So it sounds great, it is one of those great League of Women Voters placebos that we have, but the fact of the matter is, it is a tough threshold for any citizens or advocacy group to meet.

So, I just think we need to read more into that. If a government study commission had actually been formed where people ran and got elected to it, there might be all kinds of other issues that would have come forward, including the televising of the county commissioner meeting or the chief executive meeting the proceedings. I have found historically that most people are not aware of what is going on in County government. The media over the 20 year life of Mr. Forester in public office, the media I don't know -- it is like the only thing they cared about was the City Council meetings, they were pretty much MIA over there on the other part of Grant Street. Once in a while they

attended the county proclamation portion of the meeting. So we had like two decades of basically nobody raising questions about activities at the Commission level and now all of a sudden they want to call this review and input.

But a citizens group might have come up with a way for the public to be more aware including even the cable casting of the county meeting. Again, I think the home rule process was aborted. I think there should be a no vote tomorrow because we have a safeguard. The safeguard is that we have three elected Commissioners. If I am to believe them as I do, I know all three of them. They have stood at the microphone and they say they favor Home Rule, well they have at their disposal a state act, which would enable them tomorrow to start the process of true home rule opportunity.

That would be to convene the legislation, the enabling legislation, star the process by which all citizens in this County would have a right to get elected to a government study commission at the county level. Let them go through a year and a half process to two years like we did in the City of Pittsburgh and come up with the best Home Rule opportunity that we can provide for our public.

I think it should strongly have an executive and legislative branch. But the manner in which this question was predetermined by the state legislature and handed to the voters, as either vote yes or no, is very characteristic of the way the Regional Renaissance vote went down this past fall. I think it is unfortunate and I want to say to my constituents, I don't know why they have gone out of their way to pick on Tom Flaherty. I think that is wrong. I have known and I have had the privilege of working with Tom, he gave me a job when I was hungry, I will never forget that and I am always going to be loyal to Tom.

But the fact of the matter, Tom Flaherty's job is not even on the line. So why this personal attack on Tom Flaherty as if somehow he is being politically selfish and tomorrow his job is being threatened, first of all he now has his law degree. I hope at some point he will run county wide or run for judge because we need somebody like Tom Flaherty to be on the Court of Common Plea, but his job as City Controller has nothing to do with this whole debate. Can the other elected officials at the county say the same thing? Can Commissioner Lucchino say that who has aspirations? Can the three commissioners say that? No.

So let's remove all of that personal hog wash and let's get back to what the real issues are. I think the real issues have not fully been understood by the public and again, I am making it clear. What people do in my Council District tomorrow is their own business. We have the secret ballot, the question is on the top line, but I am making it clear why I strongly believe that the voters should vote no tomorrow on the Home Rule and it is my birthday tomorrow, May 19th, so maybe I will get a birthday present.

The Chair:

When you don't have a real solid

message to attack somebody else's message, you start attacking the messenger.

Mr. Ferlo:

This is the first time I think I have ever emptied out Council chambers.

Mr. Hertzberg:

Thank you. I will be brief because I think you all recall a few weeks ago I spoke at length in opposing the Home Rule Charter Referendum that is on the ballot tomorrow. I also want to thank Councilwoman McDonald. I think Councilman Ricciardi didn't get to your name it was near the bottom of the list but Councilwoman McDonald also is on the wall of shame, as we have been characterized at being part of the elected officials who are opposed to the Home Rule Charter.

I have to admit when I was told about this advertisement and I watched it myself, I was depressed about being spoken about in a way like that. That I am doing something I shouldn't be doing, and I am some bad type of person someone who should be hated, I am a career politician. As I thought about it a little more, I think the people who know me well see this commercial, they're going to see one good reason to vote no. They know that it couldn't be more inaccurate of its representation of me being this type of person that they're saying I am.

I think they're casting aspersions on all elected officials. They're just trying to make us all bad guys. We are all out there living high off the taxpayers. As Councilman Ricciardi accurately stated, they're plenty of those people on the other side of the issue. I view the work I do here as public service, not as some kind of living high of the hog out partying and drinking cocktails, driving gigantic cars at the expense of taxpayers, that's the image that this advertisement unfortunately created. I am not going to again go into great detail but I think that unfairness and those dirty tricks I think go all the way back to the start as Councilman Ferlo pointed out, the start of this thing.

We have a Home Rule law that says you're supposed to elect the people that draft the charter. You elect the Home Rule Study Commission, it never happened here. What happened was we had an appointed group of people, the Compact 21 Committee appointed that didn't represent anyone in anyway whatsoever other than who the people that selected them wanted them to be. There was no democratic process there. In the ultimate drafting of the legislation they had assistance from the Pennsylvania Economy League.

Again, it's not their job to worry about what the people want and this is permeated the whole thing till we have gotten to this state where we are really throwing mud right now. I think it's been represented of this entire movement for this Home Rule Charter. It didn't have to be like that, it should have been done the right way. Hopefully tomorrow the majority of the people will see through this, they will vote no and hopefully we can do it the right way. The County does need Home Rule, but not this Home Rule.

The Chair:

Thank you. We are going to a motion to excuse the absent member.

MR. FERLO moved to excuse the absent member.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Now we need a motion to approve the minutes.

MR. HERTZBERG moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion of Mr. Hertzberg, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, May 26,1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor (Pres't)**
Ms. McDonald	

The Chair:

Will you all please stand for the pledge of allegiance and remain standing for a moment of silent prayer so we may have peace and hope throughout the world.

With us today we have Paige McKenzie who is in the 5th grade and she attends East Hills International Studies. She's 11 years old and she's with her father, Preston. She will lead us in the pledge.

Paige McKenzie:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Paige, we have a flag of our city and country to present to you. Valerie, come up and have a picture with us.

PRESENTATIONS

Mr. Diven:

I would like to call up the group of Interact from Brashear. It's a great honor for me to bring this group in front of Council and recognize them today.

I think one of the biggest things is anytime you turn on the news it seems like high school age young adults are always being the target of such bad media lately. Here is a group that work day in and day out, works very hard and volunteer their own time to serve in the community and do some great things.

I thought it was great that we have the opportunity to bring them in front of us and recognize their work and thank them for the time they serve in the community. So with that, I am going to read the proclamation that was drafted.

MR. DIVEN PRESENTS:

No. 459 WHEREAS, Interact is a Rotary-sponsored service club for young people aged 14-18 and,

WHEREAS, Interact, which stands for International Action, was founded in 1962 in Melbourne, Florida, and quickly spread to many other parts of the world and,

WHEREAS, today there are 2,400 clubs in 69 countries and geographical areas worldwide with a membership of 53,000 and,

WHEREAS, all Interact clubs carry out at least two service projects a year - one that serves the school or community and one that furthers international understanding and,

WHEREAS, Brashear High School's Interact Club held it's first meeting in October, 1997 under the leadership of Mrs. Gail Wilson and,

WHEREAS, Brashear's Interact Club members have participated in the following: The Global Links Project where students sort and pack surplus medical supplies that are shipped to the Caribbean and South America; assisting with monthly birthday parties at Marion Manor Nursing Home; gift-wrapping in November and December at Century III Mall to benefit the SIDS Alliance; window painting at Children's Hospital; working with Special Olympics of Allegheny County; sorting and packing clothes for World Vision to be sent to third world countries; reading stories to children at Campfire Boys & Girls Headstart Programs; volunteering to help with FoodShare; participated in the United Way's Youth Day of Caring; took part in the 30 Hour Famine and many, many more projects.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the John A. Brashear High School Interact Club for their dedication, commitment and assistance to their neighborhood community as well as their international community.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 26, 1997 as John A. Brashear High School Interact Club Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

Along with the volunteers here we have Ms. Gail Wilson she is a teacher at Brashear and one of the founding members. Also, we have Leslie Smith, we have Lee Phillips and Judy Bannon. I would like to call each of you up if you would like to speak and then have someone from the group stand up and say some words about their service and their commitment.

Ms. Wilson:

This is our first year at Brashear to

have the Interact Club and these kids have done a lot of work. I am very very proud of them especially when we see everything that goes on in the news today and then we have these wonderful kids doing their thing to help the community and serve and volunteer their own time to do for other people.

Mrs. Bannon is the lady who is our Liaison with the South Side Rotary Club and she has been invaluable as far as helping us get our charter and our T-shirts and lots of other things that the club has done for us. So Mrs. Bannon you're next and I thank you.

Mrs. Bannon:

On behalf of the South Side Rotary I would like to thank Mrs. Wilson and the students at Brashear for giving our Rotary a new perspective about what kids are like today. The South Side Rotary as is true of the South Side and many areas of Pittsburgh is an older Rotary Club. Most of the members are senior citizens; a lot of them are retired. When I can go into the Rotary on Friday and say guess what the kids did this week it's rejuvenated them to the point of we have a whole different group of Rotary now. It's all because of the kids at Brashear and Mrs. Wilson and her hard work. Thank you for recognizing them.

Mr. Diven:

Does anybody from the group want to step up and say some things like why you like to volunteer?

Crystal:

Okay, my name is Crystal and I am the Secretary of the club. For me being a part of the club it means something special because it's nice to be able to do things for other people and not expect something in return. I mean it is not every day that you can do something for someone and have a thank you mean more than money or repayment. That's what I like about the club.

We try hard to do things nice for people. I think that everybody here has put a lot of hard work and effort into making the club a success, because whenever we first started there wasn't that many people but slowly as we did stuff, more and more people joined. Maybe next year there will be twice as many people, because everybody likes it.

Mr. Diven:

That's very good. Thank you for sharing that with us.

The Chair:

Thank you for all your help. Keep up the good work.

Mr. Diven:

Also, they're having a fundraiser on June 2 at Brashear to try to raise money for their activities. So if anyone has the opportunity to stop by on June 2 we sure would appreciate it. I am looking forward to attending.

Mr. Udin:

I would like to ask Valerie too and Jacqueline Hill and her guests if you could join us up front please? Throughout the City of Pittsburgh there are an awful lot of

people who are doing a lot of great things in the community. But sometimes it's important to just take the time out to bring to the attention of Council and the city people who are doing extraordinary work. To some extent the work that Jacqueline Hill is doing with the North Side Civic Council is also a commemoration of the work of that organization.

If you recall when City Council was first being reorganized by Council Districts, Ms. Hill also served the City in a very important capacity in serving on the Apportionment Committee that drew the lines and districts for the City Council.

The work that they are doing in developing small business enterprises and opportunities for low income residents over on the North Side is just outstanding work that I think needs to be acknowledged. It is a pleasure for me to share this proclamation this morning.

I want to thank also Ms. McDonald for joining us because Jacqueline Hill is actually from the Eastern End of the city although she works on the North Side and throughout the city.

MR. UDIN AND MS. MCDONALD PRESENT:

No. 460 Whereas, Jacqueline Hill has dedicated her life to serving community, especially poor and disadvantaged neighborhoods; and

Whereas, Ms. Hill has demonstrated a unique and deep sensitivity to the needs of all people who are socially and economically oppressed, including the special needs of African-Americans; and

Whereas, as the Vice-President of the North Side Civic Development Council, Ms. Hill has rendered competent and compassionate service to start-up companies, particularly women and minority entrepreneurs; and

Whereas, Ms. Hill has been recognized by the Small Business Administration as Minority Advocate of the Year, the YWCA Leadership Award, the Girl Scouts of America Women of Distinction, the Athena Award and the Fitz Award; and

Now, Therefore Be It Resolved, that the Council of the City of Pittsburgh recognizes Jacqueline Hill for all of her achievements and commends her for her dedication to the people of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

I would like to ask if Councilwoman McDonald could say a few words before we call on Ms. Hill.

Ms. McDonald:

Thank you. Councilman Udin it is a pleasure to be able to present this proclamation along with you to Ms. Hill. I think I met Jackie back in 1989 on the campaign trail running for School Board. Then after that I knew her as a very very involved, informed, and I would say a neutral, clear thinking board member, fellow board member on Homewood

Brushton revitalization and Development Corporation HBRDC. I got to be able to respect her as such as someone who is out there fighting for what is right and stands her ground for what is right and be able to make the best decisions for the best interests of everybody.

So I applaud Jackie for all her accomplishments. She is really fast and furious with acquiring a lot of accomplishments, a lot of awards and Jackie you're very deserving of it. I do believe that there are many individuals such as yourself that need these types of pats on the back to say job well done and keep it up. Thank you very much.

Ms. Hill:

I would like to thank Councilman Udin and Councilwoman McDonald for this acknowledgement. But I would like to be very clear that the reason I do what I do is not for awards or acknowledgement. There are many people, African Americans, and low income individuals in this region who do not have access to opportunity. Until that day arrives I will continue to use my voice and lift it in whatever arenas I am blessed enough to be in to ensure that that does happen.

So thank you. With me today is Ms. Emily Bucca who is President of North Side Civic Development and my husband Von Hill.

Mr. Cohen:

Good morning, Pittsburgh Cares please come up and from our own Parks Department -- -- Members of Council and members of the audience, young people in the audience there, I give this proclamation every year and every year it continues to get better and that is the organization called Pittsburgh Cares. It's a volunteer organization which helps many, many people in this region, people in need and they have a Servathon every year and they are also partnering with the Parks and Recreation Department.

So, we have two representatives whom you both know very well, the Assistant Director Mary Esther Van Shura of Parks and Recreation and also Myrna Antonio-Hall both of whom this Council has worked very closely with. Let me read this proclamation.

MR. COHEN PRESENTS:

No. 439 WHEREAS, Pittsburgh Cares is a non-profit organization dedicated to creating flexible, rewarding, and meaningful volunteer opportunities in the Greater Pittsburgh community; and

WHEREAS, Pittsburgh Cares will hold its third annual Servathon on May 30, 1998; and

WHEREAS, the focus of this year's Servathon is on community groups and their needs and this year's theme is "Building Community"; and

WHEREAS, the Pittsburgh Cares Servathon, now in its third year, will utilize 1,000 volunteers to complete neighborhood clean-ups and community center renovations throughout Allegheny County; and

WHEREAS, Pittsburgh Cares is partnering with the City of Pittsburgh and Partners in Parks in organizing projects for its 1998 Servathon; and

WHEREAS, the Servathon serves as both a way to raise funds for Pittsburgh Cares and a way to raise awareness about the merits of volunteerism.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the good work of Pittsburgh Cares and wishes it much success on its third annual Servathon.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. We have with us this morning the Executive Director Pittsburgh Cares, Carol Falk, thank you very much for being here. We also have two volunteers who are representing sponsoring companies. It is important of course to have companies like Lucent Technologies and that's where Richard Buck is from. Thank you Richard for being here, and also Anderson Consulting where Sandy Andrews is from. So thank you also for being here.

Let me present this proclamation to you. Again, I wish you just a wonderful event this year and please say a few words and then we will have Mary Esther and Myrna Antonio-Hall come up. Congratulations.

Ms. Falk:

Hi, I am pleased to be here for the third year in a row before Council today. This year for our Servathon we are hoping to immobilize 1,000 volunteers for a total of 21 projects all around the City of Pittsburgh. We are very pleased to be partnering with the city this year and Partners in Parks. They have been very helpful in planning the projects this year.

Just to give you an example of some of the projects that we are going to be doing this year, Myrna here represents a project that we are going to be doing down in Lawrenceville. We are going to be cleaning the trail along the riverfront there and beautifying and planting flowers.

Sandy Andrews who is here with me again for the third year in a row; Anderson Consulting has been a sponsor with us for three years. This year they're going to be sending a team out to Polish Hill again to do beautification efforts, to plant flowers and things like that.

Then Rich Buck from Lucent Technologies is heading up a team that's going over to the South Side and we are going to be working with some of the neighborhood children there and sporting activities through the South Side Market House.

So we are really pleased to be here again and I would like Partners in Parks to say a few words about their work.

Ms. Van Shura:

On behalf of the department I am delighted that you could join us in this initiative. As you said the theme is building the community and as we well-know building communities goes beyond addressing just the infrastructure

of bricks and mortar. It more adequately in building community is the infrastructure of the heart and sole and the fabric of our whole community.

So with these thousand of volunteers I think we are addressing a broad spectrum of the total community and for that we are most grateful. I will turn it over to my fine colleague Myrna from Partners in Parks.

Mrs. Antonio-Hall:

Thank you. We are going to be performing a number of activities this coming weekend and a lot within your Council Districts. I would like to encourage all Councilmen that we are doing a project, and women, in your district that you would come out and take a look and see what we are doing.

If you have any questions on particulars and locations some of them in the recreation centers, some of them are in parks, some of them are on trails, please feel free to call Partners in Parks at 2676 and we will bring you up to date on everything.

Ms. Andrews:

I would like to thank the Council for once again recognizing the Pittsburgh Care Servathon and all the hard work that Carolyn puts into making this day run smoothly along with many of the volunteers. Anderson Consulting is very excited again to be a sponsor this year. We are looking forward to working in a community that one of our volunteers lives in so it is kind of a nice experience for us to be able to work inside of their community.

I also would just like to encourage anyone in the room that would like to get involved call Pittsburgh Cares. There is still time to volunteer. Thank you.

Mr. Buck:

On behalf of Lucent Technologies I would like to thank the communities involved and Pittsburgh Cares and Carolyn Falk and all of her office associates that work hard all year long to make this day happen. This day is the largest fundraiser to keep their activities all year long.

Lucent Technologies is dedicated to giving back to the community not just with localities in Allegheny, Beaver County, several counties, but also in diversity issues.

I would like to thank Carolyn Falk for all her hard work and thank the community for coming out and sponsoring it.

Mr. Ferlo:

On this issue, I want to thank Pittsburgh Cares for their leadership and also the Parks Department and especially Myrna Antonio-Hall who does a lot of work. I do want to thank also Polish Hill Civic Association and Polish Hill they are working on a flower planting this Saturday and in Lawrenceville, Lawrenceville Development Corporation has been very active previously and also this year on working on the riverfront trail clean up. I had the privilege of being there in previous years. I will be out there again on Saturday.

I want to thank BFI for donating a 30-yard container, for a lot of the trash that

unfortunately gets washed up on shore and also Bloomfield Foodland for donating some pop. But we still need more volunteers both in Polish Hill.

You can contact the Polish Hill Civic Association also or just be up early Saturday morning up by Breyerton Street or come down below the 40th Street Bridge and participate in the riverfront trail clean up. So please get involved.

The Chair:

Speaking of Partners in Parks, they have done a wonderful job. You see all the flowers planted in the last two weekends and all over the city. Please keep up the good work.

MR. COHEN PRESENTS:

No. 461 WHEREAS, the Jewish Family and Children's Service of Pittsburgh is a non-profit social service agency committed to strengthening families and supporting individuals in need, by providing services to help the elderly maintain independence, counseling individuals and families in trouble or with special needs, offering career and vocational services, and helping resettle refugees from the former Soviet Union; and

WHEREAS, Lynn Snyderman Irwin, President-elect of the Jewish Family and Children's Service of Pittsburgh, is an attorney in private practice, and the dedicated wife of Steven Irwin and devoted mother of Jillian and Jesse; and

WHEREAS, Lynn Snyderman Irwin has made significant contributions to the community, including serving on the Boards of United Jewish Federation, Federation of Independent School Alumnae, and National Conference of Christians and Jews and as a member of the Holocaust Commission; and

WHEREAS, Lynn Snyderman Irwin, a Jewish Family and Children's Service volunteer for more than seven years, was recruited to its Board in 1991 and has served on numerous subcommittees, including programming, counseling, board development, marketing and endowment; and

WHEREAS, in recognition of her strong leadership and notable contributions to the agency, Lynn Snyderman Irwin will be presented with the Dr. Howard A. Mermelstein Leadership Award at the 60th Annual Meeting of the Jewish Family and Children's Service of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Jewish Family and Children's Service of Pittsburgh for supporting those in need and thanks Lynn Snyderman Irwin for her dedicated service to our community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Thursday, May 28, 1998, as "Lynn Snyderman Irwin Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Move to presentation of papers.

MR. FERLO PRESENTED:

No. 462 Resolution providing for an agreement for the renovation of the Overbrook Senior Center and for the purchase of supplies and equipment for said project and further providing for a Cooperation Agreement with Allegheny County for reimbursement of their share of costs of said project at a cost not to exceed $185,000.

Which were read and referred to the Committee on Engineering & Construction.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 463 Resolution providing for a contract for flexible beam guiderails at various locations throughout the City not to exceed $63,000.00.

Which were read and referred to the Committee on Public Works, Water & Environmental Services

MS. MCDONALD PRESENTED:

No. 464 Resolution providing for the transfer of $830,000 from Code 45, Health/Life Insurance-Municipal Employees, Department of Personnel & Civil Service to the Special Summer Food Service Program /Trust Fund in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance & Budget.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 465 Resolution providing for a contract for the payment of supplies, equipment, etc to provide center services for the HACP recreational and Senior Citizens Program not to exceed $935,400.

No. 466 Resolution authorizing a contract for the purchase of furniture and equipment not to exceed $100,000 for the Parks and Recreation Senior Interests Program.

No. 467 Resolution authorizing a contract for the purchase of furniture and equipment not to exceed $170,000 for Community Recreation Centers.

No. 468 Resolution providing for a contract for the payment of supplies, equipment, etc in connection with the

Baseball is Great (BIG) League Youth Sports Program not to exceed $100,000.

Which were read and referred to the Committee on Parks, Recreation & Youth Policy

MR. ONORATO PRESENTED:

No. 469 Ordinance changing from "CP" Commercial Planned Unit Development District to "C3" Commercial District all that certain property having frontage on the easterly side of North Highland Avenue between Penn Circle North and East Liberty Boulevard.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 470 Resolution amending Resolution No. 739 so as to change said Trust Fund name to read "Operating Grants Trust Fund" to include funds for deposit in said Trust Fund.

Which were read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 471 Resolution approving the Redevelopment Proposal dated March, 1998 including Modification No. 6 to the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 10, East Liberty.

No. 472 Resolution authorizing a Cooperation Agreement with the URA implementing the Redevelopment Proposal dated March, 1998 for redevelopment activities in portions of Redevelopment Area No. 10, East Liberty.

No. 473 Resolution approving execution of a Contract for Disposition by Sale of Land by and between the URA and Home Depot, USA, Inc.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 474 Resolution approving execution of a Contract for Disposition of Land for the sale of Parcel 12 Subdistrict 1 East and Parcel 5 Subdistrict 2 East by and between the URA and Hyperion Telecommunications of Pennsylvania, Inc.

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. UDIN PRESENTED:

No. 475 Resolution providing for the issuance of a warrant in favor of Lenzner Coach Lines for $1,350 for rental of buses for the Signal Air Warning Battalion 6th Reunion at Sheraton Station Square.

Which was read and referred to the committee on Finance and Budget.

UNFINISHED BUSINESS

The Chair:

Thank you. We will move to unfinished business. We have the reappointment of Dr. George Board to the Human Relations Board. I would like to take that first.

THE CHAIR PRESENTS:

No. 385 A resolution Re-appointing Dr. George Board as a member of the Human Relations Commission, term to expire April 1, 2002.

MR. FERLO moved to adopt.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

In front of you, you have an amendment to the Zoning Board appointments. We have three appointments we would like to amend the dates of those appointments.

MR. FERLO moved to amend the three appointment dates.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Anything else under unfinished business?

Mr. Ferlo:

We have to read the appointments.

THE CHAIR PRESENTED:

Bill No. 380:

Resolution Re-Appointing Jesse Fife as a member of the Zoning Boards of Adjustment term to expire December 31, 2000.

Which was read.

Also,

Bill No. 381:

Resolution Re-Appointing Clifford Levine as a member of the Zoning Board of Adjustment term to expire December 31, 2001.

Which was read.

Also,

Bill No. 382:

Resolution Re-Appointing Regis Murrin as a member of the Zoning Board of Adjustment term to expire December 31, 1999.

MR. FERLO moved to adopt.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Cohen:

I do want to thank the Mayor's Office for changing those terms or at least restoring them so that they are staggered. This was brought up last Wednesday and it certainly helps with the continuity of the Zoning Board rather than have them all expire at the same time. This makes sure that when a new person comes on at least there is one or two veterans on there that can help that person along. So, I want to thank the Mayor's Office for that.

Mr. Ferlo:

A related side issue. I had raised the issue obviously I am all for the re-appointments, we have three great board members that we are re-appointing today. We came up with a couple of side issues, one was just the issue of due process and people being able to hear and participate at the Zoning Board Hearings, which is very difficult because of the lack of a public address or amplifying system.

I would like to ask our Clerk's Office if they could follow up with that request with the proper equipment being purchased either through City Planning or if we have to buy it, let's buy it. We need to get a room there that everybody including the lawyers and the public have a right to hear the proceedings which is very difficult in that room for the lack of public address system.

Secondly, the Board agreed with the idea of writing up some kind of Zoning Board or Board of Adjustment Protocols Handbook kind of rights and responsibilities before the Board of Adjustments. Often times adjoining property owners don't know what the protocol and what some of the issues are, and the ability of the Zoning Board to render a decision. I have even seen attorneys sometimes before the Board that did not know various issues that really the board handles.

So, I think they seem to amenable to coming up with some kind of citizens handbook and if there is anything we can do in our office to help, we would like to work with them on that.

The Chair:

I will ask Mr. Onorato, were you satisfied -- I know you spoke and weren't on record. I don't know if they should have a podium similar to what we do. I know some of that is very informal where there are people speaking from the audience. Were you satisfied with the answers you got?

Mr. Onorato:

I am not satisfied with what they did on this particular case. However, what I would like to see and they said they would do it is -- this is piggybacking off Councilman Ferlo's suggestion -- is to provide all of the individuals that are a party to the suit and explain to them what their right of appeal is. Most of the average citizens that go in there think that if they loose a case that's it, they have no hope of doing anything or challenging a decision. Their decisions are not final; their decisions are just one layer of the judicial system.

We have to educate the public just like the district justices do with the big

warning on what your appeal right is and especially since there are deadlines involved. So I would hope to see that.

I don't think anything was resolved. The board just agreed they would look into all these issues and I would hope they do what they say they are going to do.

The Chair:

May we ask for a report similar to what Mr. Ferlo's request in writing from them?

Mr. Ferlo:

On Mr. Onorato's point, Mr. Onorato did request, which they agreed in the affirmative to modify the decision form so on the bottom in bold letters there would be boldly explained to the applicant or the protestant what the appeal process is. Mr. Onorato had made that suggestion and I did hear them on the record saying they would modify the form.

So, in addition to the other issues I would ask the Clerk's Office to follow up on those also.

Mr. Cohen:

On the issue of having a public address system, I think Councilman Ferlo raises a very good point. A lot of people often come down to the Zoning Board and they can't hear the proceedings. I have a meeting with Guy Costa tomorrow morning and that is on my list of things to raise with him. Unless somebody else has another idea, I view that as a General Services issue and hopefully we will be able to resolve it through that.

Mr. Ricciardi:

Thank you. As part of the correspondence also, the Chair of the Zoning Board of Adjustment did agree that the notification process needs to be reviewed in terms of maybe more notification of residents and citizens in the area. Also, he has agreed to maybe after a continuance, after someone has already taken vacation time that they would possibly try a pilot program for evening meetings and maybe weekend meetings.

So I realize that the logistic problems of that, but I would like to see maybe a very small scale pilot program opened up for evening meetings. A lot of people in the City of Pittsburgh it is just very difficult to take a vacation day or personal day, especially twice if there is a continuance.

So, maybe we could just see how that part of the correspondence and see how that works, maybe we could review that after one year.

The Chair:

I would request the Clerks office to do all of this in the letter and maybe review I know there were other suggestions came up at that other appointment, maybe anything in there that should be on record, they would note.

Motion to approve? We have a second, all those in favor.

Which motion prevailed.

Again, I think, I speak on behalf of all Council members that this is an outstanding Zoning Board, and they have a

tough job and they have done a great job. I think, whether we agree or disagree at times, they are three very strong appointments.

Anything else under unfinished business?

Mr. Ferlo:

Mr. President, as everyone is aware the 1998 budget vote of this Council lead to a Memorandum of Understanding being agreed to between the administration and this Council, as it relates to 98 Operating Budget of city government. The gist of that agreement made it clear that we would get weekly, monthly, quarterly financial statements regarding both our revenues received and our operating expenditures.

Despite the good work of all the Council, it is not clear to me that we have that information at hand. A few weeks ago I characterized that agreement as dead in the water, when the discussion came up about the imposition of garbage fees for our residents. I would like to ask for an update on where we are going with this whole budget dilemma situation not withstanding that memorandum of understanding being dead in the water. The fact holds true that we have a serious budget deficit for the budget year 99 and I know rumors are a float privately and among staff that there will be possibly the privatization of environmental services.

I can discuss logistically how I think the administration might impose that when they prepare their 99 budget address. I think what is important is two things, one I would like to see some formal budget summit if you want to call it that. Mr. Udin has been working very hard on all these issues and I would like some guidance from him on how to proceed.

Secondly, I do think we need a face to face meeting with both administration and the City Controller as it relates to setting aside the People Soft problems and/or issues associated with the computer system. Surely we have to have manual back up systems and it is not acceptable to me that we don't have the information that we should be having in order to know the revenue receipts for the first five months of 98 and what some of the departmental expenditures are.

It's hard for us to figure out where we are at or where we're going if we don't know what we have taken in and what we have expended. We have made certain revenue projections in the 98 budget based on our good logic and sensibility about what potential revenues would be whether it be earned income or real estate fees, there are a number of issues that we raised the revenue line item, amusement tax. It's time for an accountability. We need the players at the table and the administration, I think, unfortunately to some extent is lacking their ability to be creditable to this Council on what the revenue expenditures and revenue receipts are.

The Controller's Office and I would like to better understand what the staffing limitations if there are any within the Controller's Office. We need to have some assurances that there are either CPA's or financial folks in the Controllers office that are doing whatever they need to do to reconcile bank statements and the like. So there are a bunch of pieces to the puzzle that need to come together right now.

I wanted to ask procedurally where are we at on a number of these issues because I am fearful that the administration will do an end run around the legislative process as it relates to this rumor afloat about the privatizing of the environmental services.

The Chair:

To some response I had the same questions with the Mayor's Office last week and I spoke with Mr. Udin last week and I will let him speak next. I share the same concerns. We can't go on too much further. Mr. Udin is preparing a report to all Council and there is a request that we wait until after the People Soft Post Agenda, which I think is scheduled next week. I will let you address -- I think we all share the same concerns if you want to follow up.

Mr. Udin:

As colleagues may remember I have been meeting on a weekly basis with members of the administration, the Budget Office, Finance Department, Controllers Office, the Computer Information Services Office, trying to keep as closely abreast as we could of the developments in those offices relative to the ability of the city to monitor its revenues and expenditures through the new computer system that has been installed. There were a number of glitches in the system as I have reported frequently to members of Council and the inability of Council to receive reports throughout the year that would have enabled us to make a mid year determination as to whether or not there was a mid course correction in the budget necessary, has not been forthcoming as you know.

We asked to have scheduled a Post Agenda which would not only cover the problems with People Soft but would also look at the Controllers reporting ability regarding the reports that were requested in that agreement in the beginning of the year and look at the Mayor's budget office. All of that would be a look backwards identifying problems that needed to be resolved. It also would be a look forward and anticipating how we will be ending this current year and how we will be approaching the budget for next year.

I have also had a meeting with the administration and the Finance Department to discuss the process by which Council an the Mayor's Office can begin discussions early as we usually do in meetings that we normally call budgets summit meetings and those meetings normally occur in June. They are held monthly, members of Council who wish to join are always informed and free to join.

So, we anticipated that we will be having those budget summit meeting starting in June as we always do. I don't expect that anything to the contrary will interrupt. So, I think it's clear in everyone's mind that as far as the 98 budget is concerned the 98 budget will not experience any mid year correction. We will stay with the budget for 1998 as it is.

For 1999, we will begin the budget summit meetings and any members of Council who wish to participate in those summit meetings may do so. Those Council members who are unable to participate, I would ask that you be in touch with me, so that I can know what your thoughts and views are and can attempt to represent those views in those budget summit meetings.

Mr. Ferlo:

I have to embellish three points. First of all, this is the first time I have heard and I am pleased to hear it in all do respect to Councilman Udin and his leadership and I have the most faith in his ability to lead this Council through a lot of difficult budget deliberations. The administration who pounded us insistently at the end of the year and in the month of January on the issue of the Memorandum of Understanding, the mayor needs to make a statement that this MOU is dead in the water and that he has not fulfilled his obligations under that agreement.

The last time I remember this Council was getting beaten up by the Mayor to the extent that we were being threatened with lay-offs because of what he considered inappropriate budgeting and speculation on our part about revenues and expenditures. So at some point I would like his honor, the Mayor, to make a statement about the ethnicity of this so called memorandum of understanding and whether or not he agrees that it is dead in the water. Or, is he going to do a shotgun approach to us in July and August and come back again and either threaten with lay-offs and the like?

Maybe some of my colleagues forgot the context of which we agreed to that MOU, I haven't. So at some point, I would like and appreciate a response from the Mayor specifically, not through Peg McCormick, not through Deputy Mayor Cox or anybody of the like, but I would like to understand from him exactly what his feeling is about this so-called memorandum of understanding.

Secondly, I would reiterate my earlier request. I am not pleased with the bifurcated job duties of the Budget Officer and the Finance Director. I think this city given the tremendous amount of financial turmoil we have been in, despite the good work that the Mayor and all of this Council are involved in with trying to get a handle on our finances, despite the good work of our Finance Chairman Councilman Udin, we should have a separate Budget Director in city government. I believe in that strongly.

Director Hennigan is doing a good job, I would ask that he be directed to work on an important issue, which is revenue. We are hiring new staff people, part of our projections included raising revenues for parking tax, improving earned income, all the other issues that we talked about. That's a full-time job, revenue, making sure we are collecting what we are supposed to be collecting. There needs to be a Budget Director in this City government. I still would reiterate my request for the administration to separate those bifurcated duties. That's just my own view.

Thirdly, the People Soft -- setting that issue aside regardless of the People Soft situation and when and if that's actually going to be on line and actually working the expectations that we expected surely we should be able to have a revenue and expenditure statement or back up system. I know what I have in my checking account. I know what I have because it's not much in my saving account. I know what I owe the credit union. I know what my monthly bills are going to be this month, and I think every other working person out there knows that reality every month. We should be the same way, the same standards.

I cannot believe that we can't know right now independently the technology of People Soft. Surely we should have some manual back up system that can tell us by the end of May which we have now approached what did we take in, in real estate and earned income, amusement and 50 other revenue sources for the first five months? What did we expend? I would like to know that. I don't want to hear about People Soft. We are going to be debating People Soft for the next ten years from what I can see.

Mr. Udin:

Point of order, if I may? In 48 hours we will be convening a Post Agenda to which we have invited the Controllers Office, the People Soft people, the administration, the Budget Director, the Finance Office, and all of these issues will be appropriately discussed at that time. If we can wait until then, I think we will have some answers.

The Chair:

I requested everything you asked and Mr. Udin and I met last week and I agreed with him to hold off his report until after this meeting. I believe everyone will have the opportunity just for the record, May 28 at 2:00 p.m. we will have the meeting with the Controller, the Mayor's Office. I believe all the questions you raised better be answered.

Because I think we all have felt the frustrations in the past every month we had a report from Kurt Salac where we were, where our revenues were, what our expenses were, whether they be good or bad, at least we had a report. This year we have had none. I strongly agree with you and as our job as legislators I don't know how we can really do our jobs without the figures. So it's been very frustrating for everyone, thank God it's going to hopefully be resolved by the end of this week.

Mr. Onorato:

I am not going to get into the details of the budget that's for the hearing. I appreciate Mr. Udin calling it. However, I have to address the issues of this agreement because Councilman Ferlo brought it up and I am sure it will be recorded tomorrow, but I just want to point out a few things for accuracy purposes.

I was very very involved with the drafting of that agreement with several of my colleagues in late December, even though a few people on the other side of the hall would like to forget that. I was involved and the way I remember this thing came down is that we were extremely criticized by the media for not buying the administration's numbers out right and that we were acting irresponsibly.

I would sure appreciate if the editorial board would come back just one day and say Council not only did you stand up, but you were right. The numbers came in well in excess of what we thought, $43 million of cash. That came in because our revenue projections were right. City Council's revenue projections not only were right, but they came in more optimistic than we thought. Yet, you don't hear a word about that.

The only concern I have with some of Councilman Ferlo's comments when he

says the agreement is null and void and it is not worth the paper it is written on I want to make it very clear. If there is a breach of that contract or a violation of that agreement, it didn't come from this side of the hall. The agreement was very clear. The administration was to produce documents on a monthly basis, which were never produced. We are now seven days away from June 1, we were supposed to have monthly reports this whole year. We didn't receive one of them. I don't know whose fault it is, I don't care whose fault it is, but the point is they didn't live up to their side of the bargain. If the agreement becomes null and void it is not because of what City Council did, it is because we never received reports to take any action. That's the part that got lost in all this discussion the last couple of weeks. I just wanted to point that out.

Finally, I don't know why it's called People Soft, there is nothing soft about the system, maybe it should be intolerant, I don't know. But whatever the problem is, I have been screaming now for six months, $15 million in four years, we can't produce a monthly report, something is wrong here. But the bottom line is Council stood up on numbers that our Budget Office gave us and we relied on and they were right. I would sure hope that story gets out there because we were threatened with a gun to our head with layoff's if we don't give a garbage fee increase. We said no, wait six months and review it. We were right here. Of course, if there are any problems with the budget, it is because of a one time or unforeseen change in the budget that was never discussed in December. To the revenue issues that were in dispute in December, Council was absolutely right it came in even better than our projections.

Mr. Cohen:

I might as well weigh in, Mr. President. I also was very involved in that negotiation agreement and Councilman Onorato and Councilman Ferlo are absolutely right on the monthly reports. What all those monthly reports lead up to however in that agreement, as I recall, I don't have it in front of me is that as of May 31, the administration would report to Council on the state of our revenues and our expenditures. That's what Councilman Udin has been working on.

As far as I am concerned that agreement may have been breached but still is intact, because the administration does have an obligation to come to Council and report to us on the state of our budget. That has got to happen. If we say the agreement is null and void, then that somehow removes that obligation. I don't think anyone here is saying that we should do that. The administration has to come to us and we have to have a serious discussion about the 98 budget and the 99 budget so that we don't have that same traditional winter traditions of finger pointing and criticism and counter criticism when it comes to the budget. We need to start looking at it now. That's what that Post Agenda is all about.

As far as People Soft is concerned, it just boggles my mind that we had a system and a pretty good system every year, at least since I have been on Council, where we would know and could know at any time what our revenues were, what our expenditures were, we could break it down by department, etc. Now we can't and that is after spending somewhere close to $10 million on this computer system.

I kept asking why don't we have KPMG Peat Marwick come in, take it over and get us reports. We pay them a lot of money too and they are the ones who are supposed to be so competent in People Soft.

So, I don't understand why we can't have Peat Marwick do it, why the Controller's office is unable to do it, or whether it is the People Soft vendors who came in here and sold us a system that we simply cannot use. That question has got to be answered because there maybe another breach here and that other breach might be the breach where the company that provided us with the software. Because with that software has got to come adequate training. If we didn't get adequate training, I think that is a breach.

So, I say get rid of the whole People Soft system, let's get our $10 million back and pay use it to pave our streets or get more police or all the other things that we need in this city.

The Chair:

We would use the $10 million, I agree with you on that. You know what I think of computers half the time.

Mr. Udin:

Forty-eight hours.

The Chair:

I believe Mr. Cohen brings up one thing, the company representatives who sold us this thing may tell us the real problem. Whether we hired the right consultants, whether our people know what they're doing, whether they followed the guidelines or whatever the reason is the company would probably give us the honest answer.

Mr. Cohen:

Can we get them here?

The Chair:

That is what I am requesting, that their representative be here.

I have heard some things and I understand it could have been some whether it be the Controller or the Finance by not bringing in the right consultants, by using political agendas. There could have been a lot of reasons why this thing isn't working, but we better get to the bottom of it.

Mr. Diven:

In all fairness in regards to the People Soft, one of the things that I heard that was one of the biggest problems, was the fact that we went in and trained these people to be able to operate People Soft. They are able to command twice as much in the private sector, so after receiving the training from the city they left and took a job making a lot more money somewhere else. So all that money we spent on training, helped somebody else acquire a higher paying job with a private company.

I think that somebody told me in regards to People Soft there is a headhunter firm on the Internet where they had 3,000 job postings and 2,000 of them were for people who have experience with People Soft. So, it is a high commodity for people to have the ability to use that software.

So what we are doing is training people, and they are going off and making twice as much in the private sector. So, that is a factor that probably wasn't considered when we purchased the software.

The Chair:

I looked at the list, I think we lost nine out of the ten of those people. So we should have made some adjustments before, maybe after the first, second, or third one whether it be a contract, whatever, there could have been reasons to stop them. We can't continue that.

The other thing, I agree with Mr. Ferlo when he said, part of that agreement was I know Mr. Onorato was very active in it too, is we were going to study on a month to month basis where we were. It wasn't going to be the end of May and then we make a decision. So, that whole contract certainly has a lot to be desired.

Anything else under unfinished business?

Moving to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 476:

Report of the committee on Finance and Budget for May 20, 1998, transmitting three ordinances and three resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 63:

An Ordinance supplementing the Pittsburgh Code, Article III, Organization, Chapter 111, Departments Generally, Section 111.01, Establishment; Rules and Regulations; Organization and Control, to provide for a limitation on the time that a Department may be under the control of an acting director. **(SPONSORED BY MR. FERLO & MR. O'CONNOR).**

Which was read.

Also,

Bill No. 64:

An Ordinance amending the Pittsburgh Code, Title I, Administrative, Article III, Organization, Chapter 119, Department of Public Works, and Chapter 133, Department of Environmental Services, by re-assigning the powers and duties of environmental services. **(SPONSORED BY MR. FERLO & MR. O'CONNOR).**

Which was read.

Also,

Bill No. 65:

An Ordinance repealing the Pittsburgh Code, Title I, Administrative, Article III, Organization, Chapter 141, Department of Water, in its entirety. **(SPONSORED BY MR. FERLO & MR. O'CONNOR).**

Which was read.

Also,

Bill No. 428:

Resolution providing for an Agreement with the City Source Associates for use in lot clean-up operations in the implementation of the "Side Yard Program" at a cost not to exceed $49,600.00.

Which was read.

Also.

Bill No. 429:

Resolution amending Resolution No. 691, Item L, effective 11-7-97, which authorized the sale of 1005 Tyson Street, 13th Ward, 174-M-293 to John L. Baker & Sandra L. Baker, his wife, to reduce the purchase price from $2,500.00 to $2,000.00 as the structure has been vandalized and so that this sale may continue.

Which was read.

Also,

Bill No. 430:

Resolution providing for the conveyance by the City of certain property, under Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", eff. 12-11-84, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) 574 Bigelow Street, 15th Ward, Block 55G, Lot 284, being sold to Anthony T. Condemi & Alexandra J. Condemi. Vacant lot containing and area of 1,200 sq. ft., $100.00. Intended Use: Additional yard space. Council District 5.

(B) 1001-1003 St. Martin Street, 17th Ward, Block 14-C, Lot 184 & 185, being sold to John M. Fiore. Two vacant lots containing a combined area of 4,560 sq. ft. $200.00. Intended Use: Additional yard space. Council District 3.

(C) 510 Boggs Avenue, 19th Ward, Block 15-B, Lot 120, being sold to Anthony Abate. Vacant lot containing an area of 2,590 sq. ft., $100.00. Intended Use: Additional yard space. Council District 2.

(D) 505 Wabana Street, 26th Ward, Block 115-B, Lot 65, being sold to Frank R. Porreca & Julie A. Porreca. Vacant lot containing an area of 4,966 sq. ft, $100.00. Intended Use: Additional yard space. Council District 1.

(E) 3521-3525 Rodney Street, 27th Ward, Block 76B, Lot 168, being sold to Thomas A. & Molly J. DeSimone. Vacant lot containing an area of 6,610 sq. ft., $100.00. Intended Use: Additional yard space. Council District 1.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

The bills are now ready for final action, all in favor of the passage of bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 477:

Report of the committee on Housing, Economic Development, and Promotion for May 20, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 420:

Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed $525,545.00, chargeable to and payable from the 1998 Community Development Block Grant Program, Mayor's Office.

Which was read.

Also,

Bill No. 421:

Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed $1,134,945.00, chargeable to and payable from the 1998 Community Development Block Grant Program "City Council".

Which was read.

Also,

Bill No. 422:

Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed $744,000.00, chargeable to and payable from the following account: 1998 Community Development Block Grant Program, "Department of City Planning," "Community Based Organizations,"

500000-2610-110000-C1998-G221000-1998.

Which was read.

Also,

Bill No. 423:

Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof, at a cost not to exceed $213,300.00, chargeable to and payable from the 1998 Community Development Block Grant Program, Department of City Planning," Citizen Participation & Technical Assistance", Project No. 500000-2610-110000-C1998-2256900-1998 ($198,400.00) and CTAC/Community Design Center, 500000-2610-C1998-110000-1998-G221102 ($14,900.00).

Which was read.

Also,

Bill No. 424:

Resolution Providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the implementation of a Citywide Lot Beautification – Flower Bed, and Community Gardening Program, at a cost not to exceed $220,000.00, payable from the following accounts: 1998 Community Development Block Grant Program, $100,000.00, "Western Pennsylvania Conservancy", Mayor's Office, 566100-2610-C1998-102000-1998-G226002; Also: 1998 Community Development Block Grant Program, $ 70,000.00, "Western Pennsylvania Conservancy - Gateway Project", Mayor's Office, 566100-2610-C1998-102000-1998-G226003; Also, 1998 "NPA" Western Pennsylvania Conservancy, $ 50,000.00, Department of Public Works, 566100-5100-PGHPR-400000-1998-G226004.

Which was read.

Also,

Bill No. 425:

Resolution providing for an Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed $472,543.05, chargeable to and payable from the following accounts: 1998 Community Development Block Grant Program, $99,200.00, Department of City Planning, "Planning and Management" 500000-2610-110000-C1998-2256132-1998; Also, 1998 "NPA" Planning & Management, $225,000.00, 500000-5100-110000-PGHPR-2256132-1998; Also, 1996 "NPA" Planning & Management, $148.343.05, 500000-5100-110000-PGHPR-2256132-1996—Total $472,543.05.

Which was read.

Also,

Bill No. 426:

Resolution Amending No. 643, effective 10/24/97, entitled: "Providing

for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to transfer $450,000.00 from the Department of Public Works to the Department of Engineering & Construction "For Play Area Safety Improvements".

Which was read.

Also,

Bill No. 427:

Resolution Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

On Bill 425 unfortunately I was out of the room I believe for this vote. I just have a concern. This is close to a half million dollars and it is once again a very nebulous resolution allowing any and all contracts or agreements for all kinds of different consultants for all different kinds of management studies including the purchase of data and data analysis equipment.

I don't know what this is exactly, maybe my colleagues had an opportunity to discuss it more. If we have to vote on this today, I am going to have to abstain on the bill, but I don't understand why we can't just have them come with specific resolutions for very specific functions if they need a market survey for a business district, great. I will vote for that, but a specific resolution if they need a computer equipment, great come and discuss it to Council so we can understand what we are purchasing, how it is going to work, why we need it.

I will be supportive, but these general resolutions that come from Planning, I never get a sense of what exactly they're expending the dollars on, we are kind of cut out of the process. We never know what the RFP looks like, I think a lot of us are not even aware that we spend close to a million dollars on the new zoning code rewrite. So I don't want to obstruct the vote on this but I do have to abstain on this if it gets voted on today. I just don't think we are in the loop enough on all of these expended consultants.

The Chair:

At the request of Mr. Cohen we had a memo --

Mr. Ferlo:

Mr. Hertzberg just handed me a memo.

The Chair:

From Eloise Hirsch and Mr. Cohen you want to address that.

Mr. Cohen:

Thank you, Mr. President. I brought the Director up on this issue for precisely the reasons Councilman Ferlo addresses. I asked her at the table to read off all of the studies that would be done or the activities that would be done and asked her to get it to us in writing by Tuesday. She has gotten a list to us, but I am certainly happy to vote to recommit this if Councilman Ferlo is not satisfied or any other member is not satisfied about the activities that are being done.

Mr. Ferlo:

My concern is going back to what Mr. Ricciardi once raised a few weeks ago about knowing who all we gave money to for the housing opportunities for people with AIDS, this strikes me as kind of a nebulous list again. I am not sure how this is prioritized, market analysis for Butler Street we don't need a market analysis, we need some very specific things for Butler Street.

I don't know if this list was kind of like oh just send this to Council because they are asking a bunch of questions. What explicitly is being purchased? I would like to ask that Council consider getting a more explicit determination. I mean how did you come down to $472,543 with this very general listing of things that are on this list? Maybe other colleagues are more involved in these.

Like for instance is all of this going for the extension for the Light Rail Transit issue, or the West Carson Street? Is it going for the Route 51 redevelopment, which I am all for? This Council, Councilman Cusick was very active in trying to raise this issue along with the issue of the Carrick and Overbrook community groups, Councilman Diven -- I am all for that, but I would like to have a better sense of who is it that we are contracting for.

The Chair:

I believe in the discussions, a lot of these questions were asked. I know we talked heavily about East Liberty, the Light Rail Transit, but it wasn't broken down and possibly it could have been at Mr. Cohen's request we have the information but we don't have the dollar figure. If you want to --

Mr. Cohen:

That's fine with me.

The Chair:

I would like to see the dollar figure. That is a good point.

Mr. Ricciardi:

Yes, thank you. I would like to

make a motion to recommit. It is an annual resolution, however, I think our colleagues bring up some very important points.

MR. RICCIARDI moved to recommit Bill 425.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. FERLO PRESENTED:

Bill No. 478:

Report of the Committee on Engineering and Construction for May 20, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 419:

Resolution providing for an agreement or agreements or use of existing agreements, and/or a contract or contracts, or use of existing contracts in connection with the Rehabilitation of Existing Play Areas in Community Development Areas; at a cost not to exceed $450,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills having received the legally required number of votes are passed finally.

The Chair:

And now moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, we met with the Mayor this past week regarding Plan B and information that the Rad, Regional Asset District Board requested. I reiterated my request of several weeks ago and that is for a legal opinion or some best guess legal opinion either from our own Law Department or whatever legal advisors the administration is using on Plan B.

I specifically wanted some legal memo in relation to this issue now that the County Home Rule has passed apparently. There is an issue legally about the citizen referenda and whether or not at some point that legislative plebiscite could be used to re-appeal either all or part of the Regional Asset District Tax and as a specific strategic meeting right now as it relates to the financing of Plan B. I would like some understanding in writing legally. We made that request to the administration, to Mr. Leeper, if we could follow up please.

I think it is very important to this Council and to the Rad Board and it's needed. So if we could please get that information. I would appreciate it.

The Chair:

Will the Clerk please send a request -- I believe all Council members share your concerns especially with all the money that's been pledged or committed to the libraries, the zoos, the aviaries, etceteras.

Mr. Ferlo:

I am particularly concerned because of comments made at the meeting indicating that since we are going to create and intercept and bond long term debt that somehow that can't be undone. But there is the implication on the flip side that yearly allocations by the Rad Board to the Zoo or to the debt service or to the stadium debt service, whatever to the cultural trust that somehow that maybe could be undone and somehow in relations to the whole Plan B Rad discussion and debate we need a clearer understanding about this issue.

The Chair:

I believe you are absolutely correct.

Mr. Ferlo:

That's one of the reasons why I had reservations about this so called Home Rule.

The Chair:

That's a major concern. I know a lot of people have asked me over the weekend since then. So it's a concern of a lot people no matter what side you are on Plan B. I think we need to make sure we do that.

Anything else?

Can I have a motion to approve the

minutes?

MR. HERTZBERG moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion of Mr. Hertzberg, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *June 2, 1998* *No. 22*

Municipal Record

ONE-HUNDRED
TWENTY-NINTH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, June 2, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

Would we all please rise for the Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two special guests with us today, Michael Williams. He is 6 years old; he is in Kindergarten at Carlow School. He's accompanied by his parents Dr. Carl and Peggy Williams and his grandparents Michael and Margie Smyrnes.

We have Remington Wolfgang whose 11 years old and he is in the fifth grade at Most Holy Name and he is accompanied by his mother Debbie. He lives in Councilman Onorato's district, District 1, and Michael lives in Mr. Ricciardi's, District 3.

Michael Williams and Remington Wolfgang:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

Chair:

We have a flag of our city and country to present to you, and your two Council members will join us for a picture.

We have some very special guests in the audience.

PRESENTATIONS

Mr. Diven:

First, I would like to call up Benjamin Foster and Mr. Dennis Obeldobel and the class of carpentry from Carrick High School.

This proclamation today is to recognize Ben Foster for his work and for recently winning the Life Challenge

Award. So I will start the proclamation.

MR. DIVEN PRESENTS:

No. 479 WHEREAS, Benjamin A. Foster was born with several neurological and physical disabilities and,

WHEREAS, Ben attends the Day School Program at the Children's Institute and also attends the Carpentry Course at Carrick High School and,

WHEREAS, Ben has shown both diligence and enthusiasm and has overcome many obstacles imposed by his disabilities and,

WHEREAS, Ben has received an "A" in all quarters in his Carpentry class and has shown a high level of competence in completing many hands-on related tasks and,

WHEREAS, Ben has decided to pursue carpentry as his life's work and,

WHEREAS, Ben was awarded the Pennsylvania Association of Vocational Education Special Needs Personnel's Life Challenge Award on Monday, March 2, 1998 and,

WHEREAS, the Life Challenge Award is presented to a student involved in a vocational education program and who has shown excellence in the program despite their disability.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby applaud Ben Foster for his determination in overcoming the many obstacles that faced him and excelling in his vocational program.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, June 2, 1998, Ben Foster Day in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Diven:

I want to give Ben and also Mr. Obeldobel the chance to talk about the work at the Carrick Carpentry Class. I know it is a fantastic program that the city schools have to offer. We also have some fantastic people participating in it along with Ben. I also want to congratulate you for your work and present you with this proclamation and wish you the best of luck in your carpentry career.

If you want to say a few words you're more than welcome to step up.

Ben Foster:

I would like to thank my mom and the people from my school and Mr. Obeldobel.

Mr. Obeldobel:

Ben has been with me for two years. When he first came into my class I had some reservations as far as what I could do and work with Ben because I knew he had some disabilities, but immediately Ben rose to the occasion. Ben is dedicated, very dedicated. Everything that I ask him to do he does, he does to the best of his ability.

Right now we are working on a Mt. Oliver Bureau Building, renovating their Council chambers. It looks like your Council chambers are okay so we won't have to come down. But we are working on that at the present time. Prior to that we worked on a pavilion down in the borough building and Ben worked on both of those projects.

He excelled at the things he was doing and was able to contribute to the class. With us I have several of his classmates who assist him and work with him in the program. I want to thank them too because they help him when he is in a situation and he helps them when they're in a situation. I want to thank them too. Thank you.

Mr. Diven:

Next I would like to call up the people from Saint Catherine's from Beechview.

It's a sad day for the people of Beechview. At the end of the year Saint Catherine's Elementary School will be closing its doors. I can speak from growing up in the adjacent neighborhood of Brookline that it has meant a lot to a lot of people.

We wanted to recognize the closing and make note of the passing of an era. I think a lot of people that have attended Saint Catherine's have always had fond memories and appreciated the opportunity to call themselves a Cougar.

I would like to recognize Father Berk and the people from Saint Catherine's here.

MR. DIVEN PRESENTS:

No. 480 WHEREAS, St. Catherine of Siena School first opened it's doors to the community of Beechview in February, 1915 with a staff of four and,

WHEREAS, St. Catherine of Siena School built an addition in 1953 in order to accommodate the rising school population and,

WHEREAS, St. Catherine of Siena School, at one time, served approximately 1,300 children per year and,

WHEREAS, St. Catherine of Siena School has provided academic and religious education to 28,000 children in it's 84 year history and,

WHEREAS, on Wednesday, June 3, 1998, St Catherine of Siena School will close it's doors for the final time and,

WHEREAS, on Sunday, June 7, 1998, a celebratory mass will take place in honor of the many students, teachers and staff and the many wonderful memories they will carry with them.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the staff of St. Catherine of Siena School for their dedication and commitment to their community and their faith.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Sunday, June 7, 1998, St. Catherine of Siena School Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

With that I would like to ask Father Berk if he wants to say a few words on this occasion.

Father Berk:

I would like to take the opportunity to thank City Council for this award. I accept it on behalf of all of the religious teachers, the lay teachers and the many thousands of students that passed by the doors of Saint Catherine's School in these 84 years. To see that they have prospered and given their time and effort to the prosperity of our community and we thank you for this award.

We invite you to come to our closing ritual at two o'clock on Sunday afternoon as we close the doors of Saint Catherine's and open the doors to a new challenge of our parish. Thank you.

Mr. Cohen:

Thank you, Mr. President. Would the folks from Party for Planet Pittsburgh please come up? You thought we were just a city.

Members of Council, I am very honored to read this proclamation, it's for an exciting event happening this Friday at the Aviary on the North Side. An event that really will help to change the image of Pittsburgh for people who don't live here and who don't know enough about our city. Change it in a way that gives Pittsburgh the image of what it really is and that is on the threshold of an environmental Renaissance, a place where a lot of things are happening environmentally. Where there is a number of outdoor activities and to once again remove that image of a Smoky Steel City.

This party is called the third annual actually, Party for Planet Pittsburgh and I would like to read this proclamation.

MR. COHEN PRESENTS:

No. 481 WHEREAS, the third annual Party for Planet Pittsburgh, presented by the Pittsburgh Earth Day and Environmental City Networks, will take place on Friday evening, June 5, 1998 from 6 to 11pm at the National Aviary; and

WHEREAS, over thirty environmental, conservation and outdoor groups are co-sponsoring Party for Planet Pittsburgh as way to promote our region's abundance of outdoor treasures; and

WHEREAS, this years party will focus on raising funds for the Pittsburgh Green Guide. Now in its planning stage, the Green Guide will showcase and map the wealth of natural assets, outdoor recreation spots and environmental resource centers within our urban bioregion; and

WHEREAS, a prototype of the Green Guide will be unveiled at this year's Party and public input by attendees will be encouraged. In addition, information and opportunities to become involved in local environmental and outdoor groups will be offered; and

WHEREAS, Pittsburgh has built an international reputation for its environmental renaissance, from its past reputation as the "Smoky City" to today's "Environmental City", demonstrating sustainable practices and environmental stewardship which are integral to our City's continued revitalization and building economy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the Pittsburgh Earth Day and Environmental City Networks and the over thirty co-sponsors of Party for Planet Pittsburgh; and

BE IT FURTHER RESOLVED, that Friday, June 5, 1998 be declared as "Party for Planet Pittsburgh Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Cohen:

We are very happy to have here representatives of Party for Planet Pittsburgh, all three of whom are leaders in the environmental area. Jerry Kruth you might know quite well has really been a community leader for years on environmental issues. It is nice to have Jerry down, especially since he is also a constituent. We also have with us Julie Murphy from Green Earth Services. Julie, thank you and Court Gold from the Environmental City Network so who should I present this to?

Jerry, why don't you come first, and congratulations on behalf of City Council.

Mr. Kruth:

Thank you very much. It's a pleasure again to be in these gust chambers. I would like to make a brief comment that this party is the off shoot of the events that took place here in 1990 when Earth Day was a major national event and in 1995 as the 25th anniversary of Earth Day this party first saw life. It's now grown into a very nice event.

It is, as Mr. Cohen said, cosponsored by more than 30 organizations very broad based. We think that the important thing we are going to do at this years party is to present a prototype of a Pittsburgh Green Guide. A map, which will show the recreational, the environmental infrastructure areas and conservation areas that people have been working very hard on to preserve and protect and create.

One of the things it will do, it will be useful for visitors from out of town and also residents. Where are the bikeways? Where can you roller blade? Where can you go and take your best friend and watch a nice sunset? Where are the boat ramps? Where can you picnic beside green areas? These kinds of things anybody that travels outside our fair town, we still got that image and we would like to present Pittsburgh as it is, clean and green and moving into the next millenium.

I would like to thank Councilman Cohen, who is my Councilman, and I think does an outstanding job. I am very very happy to say I am pleased to always support him and City Council, thank you.

I would like to personally recognize his chief of staff, Bill Peduto who did an outstanding job for this and many other things for us. Thank you.

Mr. Gold:

Thank you all very much for the nice proclamation. In brief, I just wanted to point out the obvious. As we are all aware in the competitive national contest for jobs, for

retaining and attracting businesses and residents, the concept of clean, livable, affordable, environmental cities and the concept of sustainability has really taken hold.

The environmental city network of Pittsburgh High Technology Council, which is a creation of Mayor Murphy and Teresa Heinz, in the High Technology Council in cooperation with the first Pittsburgh Earth Day network and many many others are striving to capitalize on Pittsburgh's wealth of environmental expertise in the business sector and academic and government and certainly in the non-profit sector as well. To try as Jerry said reverse that local as well as international image to promote Pittsburgh as one of the leading environmental City's. Thank you very much.

Ms. Murphy:

I just want to say thank you for the opportunity to be here today. I want to remind everyone that we all have our responsibility to take care of the planet. The Party for Planet Pittsburgh is an opportunity to come and have a good time and also learn what each and everyone of us can do to do our share. Thank you.

Mr. Kruth:

For each of the members of Council we would like to extend two complimentary tickets to you. We hope you will bring your favorite significant other or give them to a staff person. Come over and see what the party is like on Friday. We will be happy to have them for you.

MR. COHEN PRESENTS:

No. 482 WHEREAS, the mission of Youth Enhancement and Support Inc. (YES) is to help the youth of Western Pennsylvania develop into responsible young adults through positive developmental training, by offering athletic competition, educational programming, social and cultural activities and exchanges, and additional support services; and

WHEREAS, current YES programs include the Summer Basketball League, the Future Stars Program, Basketball Camp, a tutoring program and various social activities; and

WHEREAS, YES was established in February 1997 and in just one year has served over 1200 young people; and

WHEREAS, the majority of funding for YES programs comes from private donations, with nominal fees paid by participants' families; and

WHEREAS, YES will conduct its Annual Summer Basketball League beginning June 8, 1998 which will run for seven weeks in Mellon Park; and

WHEREAS, noted television personalities Patrice King Brown and C.S. Keys have been invited to open the Annual Summer Basketball Season on June 8, 1998 at 4:30 p.m. at the Mellon Park Basketball Courts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Youth Enhancement and Support Inc. for serving our City's young people by establishing meaningful athletic, academic and social activities.

Mr. Onorato:

Mr. President, I just want to double check, are there any representatives in the audience from RiverHead Cyber Cafe? They will be read into the record, and I will present it at the location.

MS. MCDONALD PRESENTS:

No. 483 WHEREAS, the Pittsburgh Chapter of Jack and Jill of America, Inc. has the honor of hosting the 48th Annual Eastern Regional Teen Conference at the Pittsburgh Hilton and Towers from July 2nd thru July 5th, 1998.

WHEREAS, Jack and Jill of America, Inc. is a non-profit national organization Founded in 1938 for the purpose of working with our youth. The Pittsburgh Chapter is one of more than 200 chapters nationwide. Jack and Jill represents families whose main concern is to enrich the lives of their children through cultural, social, recreational and community services. In addition, this organization aims to aid mothers in learning more about their children by careful study, seek the same advantages for all children as they do with their own, and to support national legislation aimed at bettering the condition of our children.

WHEREAS, the theme of this year's conference is Knowledge, Leadership, and Service Yield Success. The purpose of the Teen Conference is to create a medium of contact for teens across the Eastern Region of the United States. While in Pittsburgh, the teens will participate in a variety of scholastic and artistic competitions centered around the conference theme. In addition to competitions, parties, and site seeing, numerous scholarships are also awarded to senior students in the community toward their continued educational pursuits.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Jack and Jill of America, Inc., for giving the youth of our community an environment that stimulates growth, development, and good citizenship.

Also,

No. 484 WHEREAS, On Saturday, May 30,1998, The new Pennley Place Resident Council Inc. in conjunction with Homewood Brushton Community Collaborative, Healthy Start-Region III Consortia, Communities in Schools and Pittsburgh Coalition Against Substance Abuse will sponsor a Forum/Outreach program to commemorate the 2nd Annual "National Teen Pregnancy Prevention" at Garland Parklet in East Liberty; and

WHEREAS, this program is part of the National Campaign to Prevent Teen Pregnancy as initiated in President Clinton's 1995 State of the Union address. The Campaign's mission is to prevent teen pregnancy by supporting values and stimulating actions that are consistent with a pregnancy-free adolescence; and

WHEREAS, Saturday's event will provide an educational forum on teen pregnancy prevention within a recreational setting. The event will also impart the dangers of infant mortality and health risks when young women have children in their teens; and

WHEREAS, it is through the efforts of these local groups that impact the lives of

area teens by teaching the importance of preventing pregnancy; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the organizers of the picnic/outreach program during Teen Pregnancy Prevention Month. We also join with the entire country in working to educate our youth.

MR. ONORATO AND MR. UDIN PRESENT:

No. 485 WHEREAS, the RiverHead Cyber Café is an extension of RiverHead Training located in Downtown Pittsburgh. The business is a computer based training lab, coffeehouse, testing center and retail store. Customers will have access to Internet time, e-mail and web hosting; and

WHEREAS, the RiverHead Cyber Café offers a comfortable, friendly atmosphere. The Café is actually two places in one convenient location – a state-of-the-art learning lab and a very cool coffee house; and

WHEREAS, the café offers something for those who need to learn a new software program or simply surf the net. The RiverHead Cyber Café blends the best of old time coffeehouses with the latest in technology and entertainment.

Now, therefore be it resolved, that the Council of the City of Pittsburgh hereby welcomes the RiverHead Cyber Café to the North Side of Pittsburgh and wishes them the best of luck in their new endeavor.

Also,

No. 486 WHEREAS, the theme for the 15TH Annual Northside Leadership Conference Awards Dinner is "The Northside Story...Continues"; and

WHEREAS, the Awards Dinner is an annual celebration of neighborhoods for more than 500 residents and civic leaders. Its purpose is to honor persons who have contributed to the success of their respective communities; and

WHEREAS, in addition to recognizing an outstanding individual from each of the 14 Conference member groups, the Northside Leadership Conference also awards a $1,000 scholarship to a high school senior; and

WHEREAS, the Northside Leadership Conference's hard work, enthusiasm, and persistent efforts to improve all Northside communities can be a thankless endeavor at times and so now is the time to thank all the individuals involved in making the Northside someplace special.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the individuals who belong to the 14 member groups of the Northside Leadership Conference and all of those involved in making the 15th Annual Northside Leadership Conference's Awards Dinner a success!

MS. MCDONALD moved to adopt the resolutions.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

We will now move to presentation of papers.

MR. DIVEN PRESENTED:

No. 487 Resolution authorizing the transfer of Three Hundred Seventy Nine Thousand Dollars ($379,000.00) from the Local Law Enforcement Block Grant Trust to the Equipment Leasing Authority for the purchase of police vehicles and related accessories.

No. 488 Resolution providing for a Contract or Contracts or Agreement or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Bureau of Police and providing for the payment thereof, not to exceed Two Hundred Forty Seven Thousand Dollars ($247,000.00) chargeable to and payable from Code Account LLEBG, Fund 2445, Org. No. 230000, Subclass 600, Account 540000, Budget Year 1997, Bureau of Police.

MR. COHEN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 489 Resolution providing for the issuance of a warrant in favor of Liebert Global Services in the amount of Six Thousand Five Hundred Fifty Dollars ($6,550.00) for the purchase of batteries for the Uninterrupted Power System at the Emergency Operations Center, in the amount of Six Thousand Five Hundred Fifty Dollars ($6,550.00) without previous authority of law, chargeable to and payable from PEMATF, Fund 2454, Subclass 600, Account 525150, Organization 213000, Department of Public Safety.

Which were read and referred to the Committee on Finance and Budget.

No. 490 Resolution authorizing an Agreement or Agreements with a consultant or consultants for medical direction disease services for the Bureau of Emergency Medical Services, Department of Public Safety, and providing for the payment of the cost thereof, not to exceed Forty Three Thousand Dollars ($43,000.00), chargeable to and payable from Fund 1000, Subclass 150, Org. No. 211000, Account 526100, Budget Year 1998, Bureau of Emergency Medical Services, Department of Public Safety.

No. 491 Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a fingerprint card filing system for the City-County Integrated Identification Program, Department of Public Safety, and providing for the payment thereof, total cost shall not exceed Seventy Thousand Dollars ($70,000.00) chargeable to and payable from Code Account CCIISP, Fund 2407, Subclass 600, Org. No. 231640, Account 540000, Budget Year 1998, Department of Public Safety.

Which were read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 492 Authorizing and directing the Mayor, Director of Public Works, and Director of City Planning to issue a competitive Request for Proposal (RFP) from eligible companies for the purpose of instituting, at no cost to residents, a community based transit shelter program at selected sites along the public right of way in non-residential corridors throughout the City of Pittsburgh. **(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 493 Resolution vacating a portion of Converse Street in the 20th Ward, 2nd Council District, of the City of Pittsburgh.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bills will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Also,

No. 494 Resolution accepting the Dedication of a various streets in the Crawford Roberts Redevelopment plan. These Streets are as follows Protectory Place, a portion of Centre Ave., Roberts St., Miller St., Foreside Place, Crawford St., a portion of Wylie Ave., a portion of Webster Ave. and Manilla St. in the 3rd Ward 6th Council District, City of Pittsburgh.

No. 495 Resolution vacating a Portion of Tracy St. 27th Ward 1st Council District, City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and 495

MR. ONORATO PRESENTED:

No. 496 Resolution authorizing the City Controller to transfer $47,000.00 from the Department of City Planning, Salaries Account 1102, Index Code 110205, Account No. 511000, Fund 1000, Org. 111000, Sub 010, Budget Year 1998, to the Department of Public Safety, Salaries Account 511000, Fund 1000, Org. 211000, Sub 010, Budget Year 1998.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 497 Resolution authorizing and directing the Administration to establish a Committee to review issues of public safety, parking and infrastructure on the South Side slopes.

No. 498 Resolution authorizing and directing the Mayor and Fire Bureau to perform a comprehensive study of the city's

fire apparatus equipment relative to utilization and accessibility in the City of Pittsburgh.

Which were read and referred to the Committee on Public Safety Services.

MR. UDIN PRESENTED:

No. 499 Resolution providing for the issuance of a $12,000.00 warrant in favor of Eileen Martinez, 374 Mayville Avenue, Pittsburgh, PA 15226 in settlement of a claim in which claimant's property flooded due to improper grading of street.

Which was read and referred to the Committee on Finance and Budget.

No. 500 Resolution amending Resolution No. 291, effective June 1, 1998, entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to transfer $400.00 from the Department of City Planning (administrative account) to the Finance Department (Sideyard Program).

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

No. 501 Resolution Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act and/or the Joint Jobs Initiative Program Single Point of Contact project;

No. 502 Resolution Providing the authorization to make all legitimate expenditures for agreement or agreements with various agencies for job development and employment services, wages and fringe benefits for supervisor/ participant/ administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier, supplies, related outreach and recruitment costs and administrative expenditures necessary to implement the 1998 Neighborhood Employment Program, Pittsburgh Partnership/Summer Youth Employment Program, and the Pittsburgh Partnership Employment Program; and providing the periodic transfer of funds to be used in the Neighborhood Employment Program, and the Pittsburgh Partnership/Summer Youth Employment Program, and the Pittsburgh Partnership Employment Program, and for payment of cost thereof.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 503 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of Telephone Surveys for all City Departments, dated May, 1998.

The Chair:

Read and received and filed.

MR. ONORATO moved to read, receive

and file.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair:

Under unfinished business we have the re-appointments of three people to the Human Relations Commission. All three are re-appointments.

THE CHAIR PRESENTED:

Bill No. 383:

Resolution Re-Appointing Alma Fox as a member of the Human Relations Commission, term to expire April 1, 2002.

Which was read.

Also,

Bill No. 384:

Resolution Re-Appointing Elizabeth Pittinger as a member of the Human Relations Commission, term to expire April 1, 2002.

Which was read.

Also,

Bill No. 386:

Resolution re-appointing B.J. Sampson as a member of the Human Relations Commission, term to expire April 1, 2002.

Which was read.

The Chair:

Motion to approve.

MR. FERLO moved to approve.

MR. COHEN: Seconded the motion for discussion.

Mr. Cohen:

I certainly support those appointments especially after the discussion that we had last Wednesday. I do want to note that my understanding is that an election was held for the Chairman of the Human Relations Commission yesterday and that Beth Pittinger was named Chair of the Human Relations Commission.

I just want to go on the record and take a moment to congratulate her and she is a very talented woman. I am sure she will do an excellent job.

Mr. Onorato:

I want to go on the record too every chance I get to remind everybody the Human Relations Commission does not have anyone from the North Side, the West End, or the South Hills. I would hope that the next five re-appointments that are due in 98 that the administration send over somebody from each one of those areas to really make this a city Human Relations Commission and not just a partial Human Relations Commission. Thank you.

The Chair:

Motion to approve.

MR. COHEN moved to approve.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Anything else under unfinished business to come in front of Council?

Move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 504:

Report of the Committee on Finance and Budget for May 27, 1998, transmitting one ordinance and sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 451:

An Ordinance amending the Pittsburgh Code, Title One – Administrative, Article XI: Personnel, Chapter 185: Vacations, by changing the way non-union employees accrue vacation time.

Which was read.

Also,

Bill No. 452:

Resolution transferring the sum of $20,000.00 from Account 568500, Fund 1000, organization 103000, Sub-Class 160, Budget Year 1998 to Account 516000, Fund 1000, Organization 103000, Sub-Class 020, Budget Year 1998, Mayor's Office, City Information Systems.

Which was read.

Also,

Bill No. 453:

Resolution providing for the issuance of a warrant in the sum of $86,959.00 to Mary Sherrell, c/o Cynthia M. Daniel, in full and final settlement of the action filed at GD95-15992 Alleging personal injury sustained due to a vehicle accident at Jacksonia Street and Brighton Avenue on or about October 15, 1994, chargeable to and payable from Code Account 46, Judgements.

Which was read.

Also,

Bill No. 464:

Resolution providing for the transfer of the amount of $830,000.00 from Code 45, Health/Life Insurance-Municipal Employees, Department of Personnel & Civil Service, Account 571100, Fund 1000, Organization 999300, Subclass 040, Budget Year 1998, to the Special Summer Food Service Program Trust Fund in the Department of Parks and Recreation, Account 491140, Fund 2855, Organization 521220, Subclass 600, Budget Year 1998. (PRESENTED BY MS. MCDONALD)

Which was read.

The Chair:

You have heard the reading and title

of the bills, any discussion on the bills?

Hearing none, bills are now ready for final action. All in favor of the passage of the bills vote aye when their names are called all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo

Mr. Ferlo:

I abstain and to explain my abstention which I have a right to do in the rules. It is probably a good thing from everybody's comments at the meeting.

I just think procedurally since white collar workers do not have the benefit of a collective bargaining agreement, I think procedurally when there are changes to the work rules or fringe benefits for white collar, non-union, I think there should at least be a formal process of notifying each and every employee and a listing of some response from them. So I am going to abstain on Bill 451.

Mr. Ricciardi:

If I may, Mr. O'Connor, and I see obviously we probably maybe not following closely or adhering to Robert Rules of Order, but I am so pleased that Mr. Ferlo has raised this issue.

If the Chair, which is the President Mr. O'Connor, does not object to this, I would like to have a comment on 451 also.

Mr. Onorato:

Point of procedure then. We were in the middle of a roll call vote, why don't we hold back then. It appears that it is going to go back into committee with this discussion.

Mr. Ferlo:

If I recall, under Robert Rules and Order I have a right to explain my abstention. That is what I was attempting to do.

Mr. Ricciardi:

Here's what -- again we're not adhering to Robert's Rules of Order, but I am going to explain my no vote on this then. I am going to be voting no on this, I have been contacted by several employees who have been showing me how detrimental to new employees, or employees that have been their for less than five years. So I will be abstaining or voting no on this just for the courtesy of my other colleagues whom realize what I am doing.

Mr. Onorato:

Point of procedure.

The Chair:

Someone want to recommit?

MR. FERLO moved for reconsideration of the motion and then allow for recommittal.

MR. RICCIARDI seconded the motion.

The Chair:

Let's open it up for reconsideration. All those in favor?

We want to open it up for discussion.

MR. UDIN:

What are we discussing, reconsideration?

Mr. Onorato:

Reconsideration.

The Chair:

Reconsideration for discussion.

Mr. Onorato:

Up or down or put it back on the table.

Mr. Ferlo:

I was only suggesting, Mr. President, since we were in the middle of a vote that we vote in the affirmative on a reconsideration and then allow the discussion on the actual bill.

The Chair:

That vote has been approved; we can open for discussion.

Mr. Ricciardi:

For discussions then. Thank you. Colleagues, I had an opportunity to discuss this bill with the Director. At that time I understood the benefits both to the employees and the City of Pittsburgh. But after that, I was listening very closely to Mr. Ferlo's comments at the hearing. I started contacting some employees both from the AFSCME's bargaining unit who had some strong feelings about that, but also from the management team and management employees.

It appears that there might not be that great of a benefit for those employees that only have been with the city for one, possibly two or three years. I want to be very careful on this.

I really want to commend Councilman Ferlo for bringing up some points. If this is voted on today, I am going to either vote no or abstain. I would rather see it recommitted for further discussion.

The Chair:

If I may answer that, I haven't had one phone call. I believe the whole benefit was for any new employees especially who don't have any vacation time. It offers them a vacation time before their year is up. I don't know if you were there for the discussion.

Mr. Ricciardi:

What happens, Mr. O'Connor, the way I understand this, you have to earn your time off by time worked. So say for example you are a new employee and you make those four hours every possible month, that means three, four, five months into your work time you have only earned a day and a half. So those five days aren't particularly yours to use.

The Chair:

I think you misunderstood. If you are here six months now, you can't get a vacation. Under this, in six months you are entitled to one week's vacation.

This is a major benefit to every

employee and I think my staff and everyone I have talk to unless the people talking don't understand it. Right now you have to wait a whole year to get a vacation, under this, six months you could get a whole week. After the year, you get two weeks. That's the major change as far as I see it. I see it as a major benefit to all, especially new employees.

Mr. Hertzberg:

I think, if there are objections out there, I think it is due to misunderstanding and to the degree we need to recommit to try to get a better understanding out there, we can do that. I just don't see it. I see the benefit to a new employee is obvious. That is if you have a two week vacation, if that's part of your job description, two weeks, as Council President O'Connor pointed out, after you worked six months you will have acquired a one week vacation benefit, and proportionately down so. If it is three months then you get two and a half days vacation. Every payday you accumulate an amount in proportion to the total that you would accumulate in a year is how it works.

So the benefit to the first year employee is obvious. To existing employees, not only will you have the vacation that you're accruing this year or that may have accrued and not used and that you are holding right now, but immediately when this takes effective July first you are going to start accruing new vacation time. You don't have to work until January of next year to accrue it.

So I don't see where there is anything negative here at all, it is all beneficial now to the degree that it hasn't really been floated amongst everybody to see how they feel. I understand that sentiment but it's just hard to come up with anything negative here.

Mr. Udin:

What's important, colleagues, I think is not that we understand it but that the people who it affects understand it.

The point that Mr. Ferlo raised last week, I think, is a cogent one and that is that we ought to be sure that sufficient information and consensus of support has developed among those who will be affected by it since they are not represented by a collective bargaining agent.

Therefore, as the Chairman of the Committee who is advancing this bill, I support the motion to recommit because the discussion that we are having right now should be had around the table tomorrow.

The Chair:

Second on the recommittal?

MR. FERLO seconded the motion.

Which motion prevailed.

Bill is now recommitted. Now can we go back to the vote.

AYES:

Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 505:

Report of Committee on Public Works, Environmental Services, for May 27, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 444:

Resolution granting unto Jeffrey S. Weinberg of 4634 Centre Avenue, an encroachment to construct, maintain and use at their own cost and expense, an illuminated plastic sign extending less than 12 inches over an 7ft. sidewalk in the 4th ward 6th Council District, City of Pittsburgh.

Which was read.

Also,

Bill No. 445:

Resolution granting unto Allegheny County Sanitary Authority, an encroachment to construct, maintain and use at their own cost and expense, a temporary Guard Station along Preble Avenue in the 27th Ward, 1st Council District, City of Pittsburgh.

Which was read.

Also,

Bill No. 446:

Resolution granting unto Max & Erma's Restaurant, Inc., an encroachment to construct, maintain and use at their own cost and expense, an exterior canopy structure at Penn Avenue and Stanwix Street, 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 447:

Resolution granting unto Pittsburgh Parking Development Corporation, their successors, and assigns, an encroachment to construct, maintain and use at their own cost and expense, a vault which will house the electrical transformers for the Lazarus project at Oliver Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 448:

Resolution accepting the Dedication of a portion of South 30th Street, 16th Ward, 3rd Council District, City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MR. ONORATO PRESENTED:

Bill No. 506:

Report of the Committee on Planning, Zoning, and Land Use, for May 27, 1998, transmitting two ordinances to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 10:

An Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article I, Streets and Sidewalks, Chapter 419, Regulated Activities, to authorize the display of advertising signs on public transit shelters. **(SPONSORED BY MR. FERLO)** (HEARING HELD MAY 14, 1998)

Which was read.

Also,

Bill No. 11:

An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 987, Signs, to regulate the display of advertising signs on public transit shelters. **(SPONSORED BY MR. FERLO)** (HEARING HELD MAY 14, 1998.)

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President, I would like to make a motion for consideration to recommit Bills 10 and 11 -- motion to recommit. As you know I have submitted a separate bill today regarding the whole issue of a competitive bid process utilizing the professional service contract and review process. As well, Councilman Cohen I am sure will speak to it has concerns about even strengthening the review process so that we can guarantee the highest quality of community transit shelter in the City of Pittsburgh.

With all that in mind I would like to respectfully ask for a recommittal of the two bills for the purposes of putting it back up for discussion

MS. MCDONALD seconded the motion.

(Mr. Onorato voted no.)

Which motion prevailed.

The Chair:

Do you want to open for discussion on the recommittal?

Mr. Cohen:

Discussion.

Mr. Hertzberg:

I don't know what has changed. As I see it all that's been introduced is a bill that would call for a request for proposal set up which is at least at last Wednesday's meeting which the majority of Council rejected. So I don't see a reason for recommittal here. Unless the sponsor can outline something new that's going on here.

Mr. Cohen:

I wanted to just raise an issue about an amendment that I have put before every Council member thinking that this was going to be voted on today. If it is recommitted then certainly we will bring up this amendment formally tomorrow.

But I just wanted to take a minute to explain my position here. I have been bothered by the whole process here in Council as it relates to public transit shelters. The fact is it's a good idea. It's a good idea that Councilman Ferlo brought before this Council and a good idea for citizens in our neighborhoods who have to wait for buses without being able to sit down or without being able to have any shelter from the elements. So it's a good idea.

But some how or other this good idea became tarnished once it got into the Council process. It has been characterized not so much as a good idea but rather as a battle between two different companies. Our job is not to choose companies nor should it be our job. We are not qualified to do that nor should we be in that position to do that, it is just not right. I voted for the initial bill, against the competitive bid because I don't think that this should be a price competition, it should be a design competition.

Since last Wednesday I have gotten some information about design competitions that have occurred not only in this country, but around the world. Don't take my word for it, but in Seattle for example the architect who designed the Getty Museum was the architect who designed bus shelters in Seattle. In Montreal and in London, they had design competitions for bus shelters. In Hanover, Germany, they have an art in the public sphere project where the best architects in Germany were involved in designing bus shelters and that's really what it should be.

It should be a competition not based on how much money the city gets, but rather on a good design that's functional for our citizens and that also is artistically pleasing.

So I have put forward this amendment that creates a Public Transit Shelter Advisory Panel to review, evaluate, and make recommendations regarding any and all proposals dealing with transit shelters. It would focus on a design and construction aspects of the public transit shelters. It would consist of a representative from the art commission, a representative from the Pittsburgh Historic Review Commission because a number of these transit shelters are in historic districts like for example on Carson Street in the South Side and a representative from the Port Authority.

I don't know whether I will have an opportunity to put this formerly today in a motion depending on what happens with the recommittal, but I guess what I would like to convey to Council is that this should be a competition not based on price but based on design. And whatever gets us to that point should be what we do.

Moreover, it has to be something that

people have faith in that it's a process that isn't choosing one company over another for factors other than design, but rather an objective expert panel that will be able to make the selection and that's the amendment that I have this morning.

Mr. Udin:

Point of order. I request the Chair keep the discussion limited to the question of recommittal.

The Chair:

I think out of respect for the sponsor of the bill I am ready to support a recommittal. I think you bring up a very different issue and it would need a lot of discussion and questions from our colleagues. So, I would like to discuss the recommittal and vote on it.

Mr. Cohen:

That is fine.

The Chair:

I would like you to hold onto that for tomorrow.

Mr. Diven:

I don't have a problem with recommitting it. I think out of courtesy to Mr. Ferlo who's worked hard on this. I don't think we should be in a position to rush the judge. I think having an opportunity to sort through all the differences that we discussed last week, it is probably the best move Council could make. I don't have a problem with it.

Mr. Ferlo:

Thank you.

The Chair:

Roll call vote on the recommittal.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Udin	Mr. O'Connor (Pres't)

(Mr. Hertzberg, Mr. Onorato and Mr. Ricciardi voted no.)

Mr. Ferlo:

Thank you, Mr. President.

MR. RICCIARDI PRESENTED:

Bill No. 507:

Report of the Committee on Housing, Economic Development and Promotion for May 27, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 449:

Resolution amending 668 of 1997, entitled "providing for the filing a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1995 Community Development Block Grant

Program" so as to decrease a line item in the Department of Parks & Recreation (Youth Curfew Program) and create a new line item in the Department of Engineering & Construction (Overbrook Senior Center).

Which was read.

Also,

Bill No. 450:

Resolution amending 813 of 1996 "entitled "providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program" so as to reduce a line item in the Department of Parks and Recreation (Partner in Parks) and create a new line item in the Department of Engineering and Construction (Overbrook Senior Center).

Which was read.

Also,

Bill No. 425:

Resolution providing for an Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed $472,543.05, chargeable to and payable from the following accounts: 1998 Community Development Block Grant Program, $99,200.00, Department of City Planning, "Planning and Management" 500000-2610-110000-C1998-2256132-1998; Also, 1998 "NPA" Planning & Management, $225,000.00, 500000-5100-110000-PGHPR-2256132-1998; Also, 1996 "NPA" Planning & Management, $148,343.05, 500000-5100-110000-PGHPR-2256132-1996—Total $472,543.05.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Hearing none, bills are now ready for final action. All in favor of the passage of the bills vote aye when your name are called; all those opposed voted no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

MS. MCDONALD PRESENTED:

Bill No. 508:

Report of the Committee on Housing, Economic Development and Promotion for

May 27, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 353:

Resolution authorizing the Directors of the Department of Parks and Recreation and the Department of Public Works to develop a pilot program wherein designated areas within the city's parks and/or Greenways be established as Off-Leash Exercise Areas (OLEAs). The purpose of the OLEA pilot program is to afford citizens the opportunity to lawfully exercise licensed dogs off-leash with appropriate restrictions and safeguards in place; and, furthermore, to provide a report to Council within 120 days regarding the implementation of an OLEA pilot program. **(SPONSORED BY MR. O'CONNOR)** (HEARING HELD MAY 21, 1998)

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

I have an amendment to the bill at the request of Parks and Recreation, motion to amend Bill 353, I believe you have the written amendment in front of you. Actually at the end as far as all sites should be videotaped or otherwise photo documented as part of the evaluation process.

MS. MCDONALD seconded the amendment.

Mr. Onorato:

Discussion. Is there any discussion -- is that just part of the plan or is there discussion over the cost of that too?

The Chair:

No, this is just the plan. In other words they want the option instead of videotaping that they can take pictures of any potential sites.

Mr. Udin:

I wanted to get clarification from the President to sponsor what was your intention on that section relative to videotaping, what was it that as a part of the evaluation you wanted to videotape to capture?

The Chair:

Just to show the areas that they had in mind so that they would have it when they came back to Council or their committee.

Mr. Udin:

So a photograph would do that for you? A photograph is sufficient for you?

The Chair:

Or otherwise, we are really concerned about the expense and this was at their suggestion. I want to make it as reasonable as possible.

Which motion prevailed.

The Chair:

Just to clarify, I still had a few questions as far as the off leash area, keep in mind this is only a recommendation. We have no idea where it's going to be; we are

leaving that up to the committee. The emphasis has been on parks but there have been a lot of suggestions of other areas besides the parks. I think it's very important that the minimum of four to six areas be used so that it wouldn't be on one area or one park, although a lot of emphasis seems to be on the one area.

So I want to emphasize this is only a test; it's not even a test. It's actually a recommendation that in 120 days has to come back to Council. It will have the input of every neighborhood where ever the suggestions may be. Whether they are fenced or non-fenced, safety issues.

So I see this as a very progressive move on the part of making our streets and parks and areas much more user friendly. Especially to not just for the animals but for the people who use the parks, the runners, the bikers, the ballplayers, all the swings and all the good uses of our parks need. I think, actually the exciting thing that has come out of this, there has been a lot of attention on parks and our parks to every ones credit and the administration has been remodeled, designed and are very heavily used, and by people and animals.

So I see this as a very progressive movement to make sure it is safe and well used for everyone.

Mr. Udin:

Is it open for discussion?

I am unclear as to whether or not we are in fact approving that the Directors of the Department of Parks and Recreation and Public Works will develop a plan, which Council will review and decide whether or not we will go forward with the pilot program or are we in fact approving the pilot program with this motion?

The Chair:

Your first comments were correct. I really want to emphasize this. All this is approving them to come back with a study, the study may say this can't work, it's unfeasible or it is and here is what we would like to do. So Council will have the final approval on all measures and with advisors just to give us input. So I believe after the end of 120 days, we will have a lot of discussion.

Ms. McDonald:

Thank you. I look forward to working with you, Councilman O'Connor, in terms of convening this committee. Of course, I would like to be apart of that committee as Chair of Parks, but I want to commend you for at least starting the process.

I think what has been lost in the whole discussion is with our biases and our judgements we are talking about dogs and yeah we are talking about animals. But the reality is that many people within the City of Pittsburgh who choose to live in an urban environment, many of them in the East End section of the City of Pittsburgh where there is so much asphalt and there is so much concrete. There is very little room for the green spaces, that these animals actually are part of their family whether you like it or not, whether you agree with it or not, it's not for you to judge and agree. It's for you to just to accept it.

That's the reality that many people in the City have animals that they are part of their family and they would like to be able to have city services administer to their family

in total. So this starts the ball rolling and again, this plan may come back, or excuse me this Advisory Committee may come back with that nothing is really feasible.

There is going to be a lot of compromise. I am sure there is going to be a lot of debate because they're are going to be people on this committee that are very very pro animal on one extreme and very very cautious about these animals running around on the other.

So, I think because you are going to have different factions, they eventually will come together and form some type of consensus. I appreciate the fact that there is language in there that specifically states that this must come before Council. Whatever plan, whatever recommendations they have.

So I commend Councilman O'Connor for getting the ball rolling. I look forward to the discussion because I am sure it is going to be interesting. I would also like to ask my colleagues, Meg Cheevers from the Pittsburgh Parks Conservancy has mailed to me a rather lengthy document that talks about off leash laws and her experience in terms of studies in other cities. So if you do not have that, I just got it the other day, I will make it available. I think it is going to be very informative to the Council body.

The Chair:

If I can add to that, I would like nominees for the committee from Council members within a week please. We will certainly want a broad based of community people not just real pro-dogs or the other way. We want people who represent the City of Pittsburgh and how this can move forward and in a democratic process so it doesn't weigh one against the other. So we make good decisions and you did mention, Ms. McDonald, other cities have done it, I think, that's part of the beauty of it. We can study their benefits and some of their mistakes as we move forward.

Mr. Onorato:

Once again, I applaud Council President O'Connor for bringing this forward. However, I think some of the reporting at least the headlines of it even again after last week's preliminary vote have been very misleading to the public and for the residents who have been calling my office that have major concerns about the movement in this direction. I can assure you I still have the concerns you do and that this legislation is only a plan. It reserves the right for this Council as one of the options to say no; we won't have off leash areas.

This committee is going to have a lot to do to convince me to open up the parks on the North Side. I was in Riverview for an hour last night, many dogs with owners on leashes it was working well. I still think it would be a disaster to open up that park to off leash dog areas.

I will look forward to the committee's recommendation but as Councilman Udin pointed out this is only a suggestion, a plan that will be presented to Council, which means we can either approve or we can vote down. We are not, and this is for the media to see that this gets reported, we are not voting today to approve off leash areas. That's the furthest thing from the truth.

I am going to abstain again like I abstained last week because it gets misinterpreted. I have a lot of reservations about the movement. On one hand you hear

some colleagues say I like it, but not if it's only my park, because I don't want to be flooded. I have the same concern about whatever parks we pick, if it is one, two, three, or four that the city becomes flooded.

This is not going to be just a City of Pittsburgh issue. These parks first and foremost are for people and for children. If we can accommodate dog owners, that will be great. But I won't concede an inch of a park to an off leash area to a dog over a child. Now I want to see what other cities are doing.

I heard the county supposedly is doing this. I want to hear what they're doing but they have a long way to go to convince me to get support of this plan only because of what I have experienced in the parks that I participate in.

The Chair:

Again, just to clarify, it may not even be in parks. There are very good suggestions coming out for places other than parks. I think it's really a very broad-based plan for the future.

Mr. Ferlo:

Thank you. We should be clear because there is still confusion. I am going to vote in favor of this because you spent a lot of hard time and work on this and gave it a lot of thought. It's clear that there is at least a dedicated group especially within the Frick Park community that would like to explore whether or not it is feasible and appropriate to do this legally not only in Frick Park but possibly other parks and non-park areas around the City of Pittsburgh.

So I am at least willing to sit down and initiate a community planning process for review. The vote today in no way confirms or gives any formal support by this legislative body or the Mayor or the Parks Department that we are going to even do this. We are only looking at the feasibility and we are exploring the concept and the idea. That's the way I understand the bill to be today.

One thing I want to make clear, the welcome mat for the city parks of which we have several thousand acres of park land in the City of Pittsburgh, the welcome mat is now open and has always been open for dogs every day, hour of the year. All of our parks except for children's play areas, tennis court areas and congregate sport activity areas, thousands of acres of land right now and always have been open to dogs, they just have to be on a leash. They cannot defecate without the owner taking responsibility for clean up.

That includes the FIDO freaks if I can call them that from Frick Park. They have a responsibility to clean up their dog. Until we change the system, they should be fined and prosecuted for running their dogs loose because it's illegal and it is a violation of the City code.

I am willing to look at the issue of feasibility for a plan and see whether or not it's appropriate. But this notion that was conveyed at the hearing that we are not friendly to dogs and animals, all of our parks allow animals. We're just saying for the public order and for the safety and well being of our children and everybody else, keep the dogs on a leash and be responsible. Clean up after your dog and unfortunately in the park system including in my Council District, we have a certain percentage. I think it is a smaller percentage of animal owners that are

not responsible, they are not complying with the law and the public good and order. They should be prosecuted.

I am voting for today but no way do I want to send any message if people are letting dogs loose in the park, including some particular breeds of dogs, and particular dogs that are anti-social when it comes to other dogs and people and children. These individuals should be sited the $100 ticket and they should be sited the $500 ticket for the second offense.

So, I hope we start enforcing the existing laws. I do take exception to some of the comments at the Public Hearing, that there was a feeling at the Public Hearing that it is always the case that animals with dog owners with their animals make the park safer. That is true to some extent. But I have parks in my Council District, where people don't want to frequent the parks because they're afraid of loose dogs. That's the case to some extent for some of my older residents and children in my Council District particularly for the Highland Park.

So there is a double-edged situation there. I have a lot of people that would frequent the park more if they knew it was going to be safe and they didn't have to confront a rottweiler.

So I am all for looking at the issue of off leash, be it in some parks or appropriate areas. I want to clearly send a message today that I am insistent that the administration and Public Works enforce the leash law and animal owners that do not clean up after their dogs.

The Chair:

I believe I will second everything you said. One of the key reasons for this is people are afraid to use Frick Park because Pitbulls and Rottweilers are running loose. So if any dog is not allowed to run loose and let's make it clear, they will be prosecuted. We get a lot of calls in our office especially since Frick Park is so well used, they still want to give them tickets and no one is allowed to take their dog off the leash. If they do, they do it at their own risk.

Mr. Ferlo:

Of all the people at the hearing, and I respect organized advocacy, I have been successful in conducting organized advocacy for 20 years. But basically the Public Hearing was kind of an anomaly other than maybe one individual woman who came from the North Side who talked about West Park, everybody was from FIDO, from the Frick Park group.

I am very concerned whatever this planning process be, that it include formal representatives from the Highland Park Community Club or the West End Elliott Group, or whatever. It can't just be the FIDO folks; it has got to be a broad- based group of park enthusiasts, park users, and people that are the planners of our parks.

The Chair:

Trust me, you all will have either a representative or someone we will all agree on. I certainly agree it won't be all one group, otherwise it doesn't serve the purpose. We will have a cross section of people to represent the whole city and different agenda. The main thing is to make it safe for everyone to use the parks especially the --

Mr. Ferlo:

In God we trust; I want to see the written law.

The Chair:

Well, we have 120 days to come up with the solution and we will still have a final vote later.

Mr. Hertzberg:

I am going to support this because it's a feasibility study as you pointed out, Mr. President. It doesn't bind us in anyway to actually have any of these off leash areas. I am going to need to be convinced by whatever work is done by the subcommittee that this can work. I am not convinced yet, but I am willing to look into it. I think if it can be done, it is a great idea, it will be an added benefit that the City of Pittsburgh would have.

But one of my biggest concerns is that any site that is selected has the unanimous support of the neighborhood that is around the site. Again, I would never want to see something imposed that doesn't have the support of the neighborhood. So, see what comes back.

Mr. Cohen:

Thank you, Mr. President. I also will support this bill with the two conditions that I talked about last Wednesday.

First of all I want to complement you, Mr. President, for bringing this forward so we can have this discussion. Obviously it is an issue that certain people care very strongly about and have very deep feelings about.

My two conditions are number one that when they do come back they come back with an enforcement plan for the on leash exercise areas otherwise known as the rest of our city. Don't just say that we are going to enforce the on leash laws but rather have a plan for doing that and tell us who's going to do it, what hours they are going to be there, where they're going to be, etceteras.

The other is it not be limited to just one park, particularly Frick Park. I know that you agree with that although the majority of people who spoke at the Public Hearing were in the Frick Park area. I think it would be a disservice to have a single off leash exercise area and just in Frick Park that just wouldn't be fair. It should be distributed evenly.

The Chair:

Any other comments?

Mr. Udin:

Call the question.

The Chair:

One last thing, I think with all your comments, we are sending a very strong message to the committee that this has to be workable for everyone. I agree with that.

The bills are now ready for final action. All in favor of the passage of the bills, will vote aye when their names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

(Mr. Onorato abstained)

Bills have received the legally required number of votes and are passed finally.

MR. FERLO PRESENTED:

Bill No. 509:

Report of the committee on Engineering and Construction for May 27, 1998, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 440:

Resolution amending Resolution 338 of 1997, entitled "providing for Agreements and/or Contracts, for the Reconstruction of Frick Playground at Forbes and Braddock Avenue; and for the purchase of material and equipment for said project; and providing for the payment of the cost thereof, "by amending the title and by increasing the total authorization by $303,445.00 from $325,000.00 to $628,445.00.

Which was read.

Also,

Bill No. 441:

Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation in connection with the expansion of the South Side Riverfront Park.

Which was read.

Also,

Bill No. 442:

Resolution providing for a License Agreement with Duquesne Light Company to grant the privilege and license at its own cost, to install, use operate, maintain, repair renew and finally remove (1) pole, together with crossarms, cables and wires, two (2) anchors, guys and other appurtenances belonging thereto, upon, over, under, along, across and through certain property of the City's Volunteer's Ballfield No. 2, situated in the 29th Ward of the City of Pittsburgh, Council District No. 4, to accommodate power and lighting for this field.

Which was read.

Also,

Bill No. 443:

Resolution providing for a Cooperation Agreement with the Highland Park Community Development Corporation (HPCDC) relative to the administration of a state grant and the consequent restoration of the Victorian Gardens in Highland Park.

Which was read.

Also,

Bill No. 462:

Resolution providing for an Agreement or Agreements or use of existing Agreements and/or a Contract or Contracts or use of existing Contracts for the Renovation of the Overbrook Senior Center located in Council District No. 4, and for the purchase of supplies and equipment for said project; and providing for the payment of the costs thereof. This proposed Resolution is also to provide for a Cooperation Agreement with Allegheny County for reimbursement of their share of costs of said project. Cost not to exceed $185,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and are passed finally.

The Chair:

We will move to Motions and Resolution.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Thank you, colleagues. Colleagues, it's come to my attention this morning that County Commissioner Michael Dawida has recommended and is supporting our Colleague Mr. Sala Udin for a position on the County Council Reapportionment Committee.

I have not had an opportunity to discuss it in detail with Mr. Udin, but I would like to make it public now. I believe the committee needs individuals that are very hard working, and that believe and will fight for fair representation for all municipalities in Allegheny County, in which there is 130 and especially for the City of Pittsburgh and all neighborhoods and all people within the City of Pittsburgh. I think Mr. Udin could be that person.

I believe he will be fair, hard working, give it due diligence, and I believe that he will also make sure that all neighborhoods in the City of Pittsburgh are fairly represented.

On that I would like to put forward a resolution that we support our colleague Mr. Udin for that position and thank the County Commissioners for their serious consideration of this matter.

MR. FERLO seconded the motion.

The Chair:

Should we ask him, does he know

what he's getting into again? I certainly support the resolution.

Which motion prevailed.

The Chair:

Again, I think Mr. Udin would be an outstanding candidate and I hope the process allows him to serve.

Mr. Udin:

I don't know we will see. I want to thank my colleagues for their vote of confidence. Thank you very much.

Mr. Ricciardi:

On the second issue colleagues, this entire legislative body all of us have been very supportive of two important city projects here in the City of Pittsburgh; One for the South Side and one for Brookline.

The South Side has been the opening of 30th Street and in Brookline it has been the total reconstruction of Pioneer Avenue. I am very somewhat distressed why those contracts now have not been executed. Some individuals, some directors are pointing their finger towards People Soft, others have been pointing towards the Budget Office and still others are pointing at other departments. I would just hope our City Clerk could please work directly with the administration and see why these two projects have not been executed.

We have not been parochial in our position; we have all supported the South Side and Brookline, with Pioneer Avenue and the opening of 30th Street. I really want to thank all of my colleagues but I am curious why those contracts have not been executed. So if the City Clerk could please look into that.

A third matter, and I will make this very quick and I thank my colleagues. Colleagues, I had an opportunity to honor all of our fallen veterans with most of you if not all of you on Memorial Day. In the South Side we had several memorials that really honor all of our fallen soldiers and really give praise and honor to their families.

I just want to say that I participated with nearly 100 individuals and dozens of people thanked this body, again the entire body, for supporting the Soldiers and Sailors Memorial Hall during the application process. I really wanted to bring that back to all of you. But at the same time I was very disturbed by what I heard on the radio this morning, and that is that an individual on the RAD board had resigned.

It appeared because of influence from Commissioner Cranmer. I want to bring this back to the veterans. If one recalls, the Soldiers and Sailors Memorial Hall had their application on time to the County Managers Office and the County Budget Office. At that time, unfortunately, the application, and this is from the County Officials, was misplaced. It was not handed in at the appropriate moment.

We then asked the County Commissioners to get directly involved with their appointees on the RAD Board. Larry Dunn stood forward and became involved. Commissioner Dawida and Commissioner Cranmer stated that is an independent board, that we do not have influence on that board, we cannot interject ourselves on that board. So Cranmer and Dawida did not stand up and support the veterans.

But, when it comes to supporting the sport franchises, in the city of Pittsburgh and Allegheny County, when it comes to supporting the ballplayers, when it comes to supporting Plan B, Commissioner Cranmer has no qualms or no second thoughts of putting his mark on the Rad Board, because they serve at the will of their appointees. So, Commissioner Cranmer could not get involved for the veterans, which I think is a disgrace.

I have never served, but my father always told me to be thankful for the veterans because my father and my mother who were immigrants to this country said that they had such a great life because of the veterans. So Commissioner Cranmer couldn't get involved with the Rad Board for the veterans, but they got involved in the Rad Board for the sport franchises.

Now, let me say why I am comfortable bringing this up. I voted at the polls for the Regional Renaissance Initiative, the half percent sales tax, in 11 counties. So, I believed in it, and I voted for it. That is why my comments here are very objective. They are very objective. I was not against the so-called Plan A. But now I am questioning the fairness of the Rad Board, I am questioning if they are open minded and I am questioning what pressure is being put on those Rad Board members behind the scenes -- behind the scenes? That is what I am questioning.

I am not questioning are these people independent? Do they have any conflicts of interest? Meaning that they rely on the County Commissioners for maybe people or companies or corporations that they represent. I am questioning the entire process now of Plan B. This comes from a person who voted for the half percent tax. State Law set up the Rad Board.

I will be asking the Attorney General Michael Fisher who I think is a very honorable, able politician who represented the City of Pittsburgh and Allegheny County as a State Senator, to do an inquiry on all Rad Board members to see which deliberations happened behind closed doors. Which deliberations just didn't occur in the view of the public? I want Michael Fisher to come to town to support the integrity of the legislation that set up the Rad Board, the legislation that set up the Rad tax, because it was passed in Harrisburg.

He was the person who was there when it was passed, so he understands the intent and the contents of the legislation. Now he is the Attorney General who now has the power and the will to ask these individuals has Bob Cranmer pressured any other individuals not to be fair and objective in this matter? This is a very serious issue, I believe it.

I am not asking for a resolution here. I will be putting out my own personal request this morning. Commissioner Cranmer was not there for the veterans, he said he could not interject himself in the process, that they were independent. The veterans lost that funding because of the incompetence of a bureaucracy in the Court House, then they lost the funding because Cranmer stated that he couldn't get involved in the process, but he was there for the million dollar baseball players wasn't he? But he wasn't there for the veterans who put their life on the line and the fallen veterans who never came home. That is why I am upset.

This body supports veterans. I have had a good life in this country because of the

veterans and that is why. I am asking Michael Fisher to come to the City of Pittsburgh and do an inquiry I want to know each and every deliberation that happened behind closed doors on the other members. I am disappointed in the gentleman who resigned because he should have let Cranmer take him off of the board not just resign. Thank you for those comments, Mr. President.

Mr. Ferlo:

I don't want to temper in any way Councilman Ricciardi's eloquence and his passion for what he just outlined. I share the concern especially as we look back on this Council at the request of Mr. Ricciardi. At least a year and a half ago he passed a resolution trying to straighten out the request from the Soldiers and Sailors board as it relates to their annual funding for capital and operating improvements.

Let me just try to add another focus though. First of all I am very much a proponent and as you know I spoke at the Rad Board Public Hearing as well. I did a follow up memo because I sensed both from the Public Hearing and with discussions with individual Rad Board members that they had major concerns and reservations about the redirection of roughly $13.4 million or refinancing of the ten and another $3.4 million for so called Plan B. I am very supportive of the plan in terms of the need long over due for the Convention Center, and I have resolved to accept albeit with reservation the baseball only stadium and the football stadium.

But I submitted a lengthy memo asking that the Rad Board when they deliberate and do their due diligence that they give consideration to a whole bunch of guarantees and provisions that I would ask that they consider. Mr. Ricciardi is right in some respect, but I would like to embellish at least a couple of points because really what's happened is you really are distorting now the whole due process of the board's decision making and deliberations.

The fact that there was a vacancy and an individual was added, it might be a great individual who is going to make a good contribution to the Rad Board, but that gentleman was added after the Public Hearing and after the board received all the public information. So that person technically was not exposed to the public process whether it be people for or against Plan B or any concerns that people might have wanted to express. So, if he is not going to abstain from that, I really question whether or not there should be another Rad Board meeting and a decision prior to continuing the public hearing process.

Now, in addition to that individual being appointed following the Public Hearing a month or so ago, we have the pronouncement this morning, which I found I was taken back a little bit. I respect the fact that Commissioner Cranmer is doing his best to be an advocate for this plan, I think it is good that he is working to get the Pirates and the Steelers to ante up much more significant dollars. It was certainly one of the points that I expressed to the Rad Board. But what has happened now really is not only threatening the Plan B, but in a way the politics that are being played here are going to further create a schism between the public and the Rad Board and the public's acceptance and willingness to maintain their support of the important work of the Rad Board.

The Rad Board is too important to the

funding stream and too important of an organization for people to be pulled on an off the board on the whim of any one elected official. That is a big tactical mistake that is being made here. Because the public is out there. If the public begins to perceive that the Rad Board are a bunch of puppeteers and are not going to really do the due diligence, then what is going to happen in the future when there is another debate on some other group? I thought that people were appointed to the Rad Board based on their skill and expertise to make a contribution.

I think the Rad Board up till now, I think, bartered on even though people don't necessarily like the sales tax, I think a lot of people respect the Rad Board process and they respect the Chairman Mr. Matter, and the individual board members. But the fact now that we are beginning to play musical chairs, with the Rad Board composition, and cutting into the ability of the Rad Board to do their due diligence which we expect them to do. This is an important public policy issue; it involves an awful lot of money.

We are indebting ourselves for the next twenty-five years to build these structures. The administration has made a tactical decision that they are not going to separate out the Convention Center away from the two stadiums. Fine, I don't agree with that. I would like to see the Convention Center funded and let's get it over with and get it done with while the Rad Board keeps discussing the issue of the stadium. But they have packaged it all together and accept it all or none kind of a strategy.

I wish it were done a different way but I am not in the drivers seat on that. But what is happening today with the Mr. Cranmer's actions? He is really going to fuel the opponents of the Rad Tax in the first place. Let's be mindful this Rad Tax is very vital to the financial health of the City of Pittsburgh. It is vital to the fact that we can initiate a tax reform in the city by lowering the amusement tax, by completely eliminating the personal property tax. So there are all kinds of windfall benefits when Rad Tax was instituted. There are hundreds of important organizations including major institutional amenities from the zoo to the Phipps, to the library system that relies on this Rad funding stream. A lot of the new capital construction at the National Aviary at Phipps, you name it, all of that started as a result of the Rad Tax.

We should resist and I think Councilman Ricciardi is correct. We should resist and speak out at any attempt by -- the Rad Tax is bigger and better than Mr. Cranmer. It is too important. It is more important than even Mr. Cranmer. What is happening today unfortunately in his frenzy to line up the padded votes for Plan B, I think he is making a very bad tactical move. I think there should have been an effort to convince Mr. Baker of the need on its merits to fund Plan B. My sense from the Rad Board members was that they wanted to do their due diligence. They didn't want to be a rubber stamp, they had issues about guarantees, and they wanted to see a term lease prior to voting on it. What is wrong with that?

This is a board that we are putting millions of dollars into. These citizens have millions of dollars at their control. More than any other legislative body in the sense that they are not elected, they are appointed. If people can be shoved down and shoved off of the board on the whim of one Commissioner, I just think that is really bad. It is bad politics, it is bad public policy and I think the issue here is much broader than just

Plan B and much broader than the actions of one commissioner. It undermines the public's confidence in the Rad funding stream and the Rad Board their ability to deliberate.

I would personally add that I don't think it is fair for this board to make a final decision in July with two new members on it. Presumably Mr. Cranmer will appoint a new member since he axed Mr. Baker, I think it is unfair that they not go back -- I think they should go back to a Public Hearing process review prior to final decision.

The Chair:

Just for my information, Mr. Ferlo, and possibly the listening audience, I knew one person left about three weeks ago on his own. Did the paper say today Mr. Cranmer replaced somebody? Did someone else leave?

Mr. Ferlo:

The presumption is that Mr. Cranmer will appoint somebody to replace Mr. Baker. There was already a gentleman appointed a month ago --

The Chair:

I know Mr. Lieberman left a month ago on this own because of a conflict of interest.

Mr. Onorato:

He was replaced.

Mr. Ferlo:

I understand, my point though is that gentleman was replaced after the Public Hearing, after this deliberative process involving a public protocol. Now there is a second person, gentleman or otherwise who is going to be added who now is even further away from the Public Hearing process. These people I thought were elected or appointed for a term. They should be appointed for a term.

If I don't like the magistrate, does he or she -- am I going to pull him off? I don't like a board member that's not the way it should be done.

What's happening here is Mr. Cranmer's actions are going to undermine public support for the Rad process and that's a big, big mistake.

The Chair:

Again, I think if we want to look at one thing, I know some of our boards, once that appointment is made, you can't make a change unless the person resigns. That is maybe something they should have looked into before this because it would eliminate the political maneuvering that is going to go on. It's a shame it has gone that far.

Mr. Ferlo:

We should be able to sell Plan B on its merits. We shouldn't be shaking down and move people on and off the board.

The Chair:

Just out of curiosity, was that Public Hearing, I was here for part of it, was that televised by our cable station?

Mr. Ferlo:

No we didn't.

The Chair:

You don't have any records of it?

Mr. Cohen:

It is not our hearing.

The Chair:

It is not our hearing. I was just hoping again we should have probably televised it but that's here after.

Mr. Diven:

I think that along with Councilman Ferlo and Councilman Ricciardi have pointed out, I think with the new era with the Home Rule Charter, that is something that we need to be mindful of.

I served on the Commissioner Forester staff when they enacted the legislative enabling the formation of the Rad Board. I sat through three days of Public Hearings from all the cultural and parks and all the entities that received this funding. It was something that offset a monetary contribution that both the city and the county had to pay to, you know all these regional assets.

One thing that I would like see as soon as possible is some kind of definite legal opinion as to whether or not a referendum can be placed forward that would eliminate the one percent sales tax. It has been unclear depending on whom you listen to; it's all speculation. As it stands right now, it's my belief that the county was the ordinance that enabled the formation of the Rad Board and under the Home Rule Charter a referendum can be put forth to repeal that.

Now if we sign on for like $375 million worth of debt that the Rad Board has to pay, and they eliminate the one percent sales tax, then that debt is going to have to fall back on the city and the county to replace it, plus the money that is no longer going to be provided for our zoo and aviary and all the cultural things.

I think it's imperative that we get this gray area penciled in. I think if we are going to be stuck with a situation where the public's perception of the Rad Board is tainted by this kind of thing, you can be assured that opponents of the Rad Board and opponents of Plan B the first thing they're going to do is introduce legislation or referendum to repeal the one percent sales tax. When that happens based on the kind of public perception of a Commissioner intervening and pulling people off the board because they don't agree with the vote for stadiums, that's going to completely overshadow all the good and positive work that the Rad Board does in relationship to providing cultural amenities and civic things that our four regional parks, our cultural trust, all the great things that the Rad Board are going to be thrown out the window because of the perception that this board was worked to support two new stadiums.

That's something that we really have to guard against. I think it is imperative as a Council body, we demand that specter be cleared up before this vote takes place because if not we may be committing ourselves to an astronomical debt for the next 30 years.

The Chair:

Mr. Ferlo in our meeting with the Mayor and the Mayor agreed with Mr. Ferlo that we want a legal opinion to very strongly

suggest and prove that this can't happen.

Mr. Ferlo:

Also that that is one of the issues that the Rad Board decide prior to a vote. The Rad Board shouldn't take the vote on Plan B unless they have assurance that this cannot be undone by Allegheny Institute or anybody else.

The Chair:

I believe you requested that. I believe the Mayor, and my memory serves me correct, he agreed with you and we expect that process to be continuing and have something in writing from not only his Law Department, but I think the county should have that in writing too and the Board.

Mr. Diven:

I believe the Rad Board provides a great benefit and it's something that has helped our region tremendously. To have that all undone by the appearance of some kind of impropriety or arm-twisting by a Commissioner and we are going loose out on something tremendous, and we need to make sure that we even guard against any hint of any impropriety.

Ms. McDonald:

Yes. I would like to make a comment, but I would first like to just get in one housekeeping item.

The Chair:

Are you on the same subject?

Ms. McDonald:

I am going to do the same subject, but I am getting this housekeeping item in because we are going to be talking until the cows come home. I would like to make a motion to cable cast the Public Hearing scheduled June 23 for the Home Depot rezoning.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I just want to add one brief comment as we talk about this whole scenario that we read about in the paper. There may have been some feelings of impropriety or whatever, but the bottom line is this, we are in a political field. If this is the first time there has not been political maneuvering or arm-twisting done, then please let me know. This is not a first; this will not be the last. It is done every day folks; every day there is arm-twisting.

I just have to say one thing. I really have my reservations about how the Rad is going to vote on this. I personally have said here in Council chambers my main concern is that any added revenue such as the 3.4 million that they're banking on for the next few years that that not necessarily be included because that should be equally distributed. Any increase in revenue needs to be equally distributed amongst all the existing groups that are already allocated monies.

Basically if I earn interest at a bank and the bank takes it, to me they're taking money from me. That's my interest. That's my added interest. I just wish that they would allocate that equitably amongst all the existing organizations.

I am still looking forward to President O'Connor making sure that he keeps all of Council abreast of the developments. But just to give a little bit of defense to Commissioner Cranmer. Let's face it, yeah he did what he had to do, you know how I look at that, he's a fall guy. Somebody had to do it. This is a political maneuver; this is how we get a $803 million deal done. We are talking millions and millions of dollars at stake and people will do what they're going to do. I don't like it either, but to me he is a fall guy.

We have three people that are pushing this whole thing, three. And it's his guy, his friend that ended being the one that said well no, and jeopardizing the vote. To me he was a fall guy. Let's put all of that into perspective. I am not going to cast some very unbalanced comments about Commissioner Cranmer. There is a whole bunch of people at the table, many that aren't even reported in the paper. There is a lot of wheeling and dealing going on, a lot of it. I just hate to put fingers on just one individual person, come on.

Let's face reality, there are a lot of people here, but also, I do have to say this. It is Commissioner Cranmer that is the obstructionist in terms of trying to force more private dollars in investments from the teams. It is him that is doing it. So, I at least give him credit for having the backbone to stand up and say look 50 million is not enough. I feel the same way, 50 million is not enough. You made millions and billions of dollars, 50 million is not enough and I give him credit for at least having the backbone to stand up and face the Steelers one on one and say it is not enough. To me that is standing up for the taxpayers; for me it is doing the right thing.

But as far as this whole concern, well guess what. Somebody has to be the fall guy and a multi, multi million-dollar deal that is going on. I just want to put in into perspective in terms of what politics is all about. I don't want to sit here and get on my high horse and pontificated about all shame, shame. Come on; shame on all of us.

Mr. Udin:

Thank you. Since there is neither a motion or resolution on the floor, I would like permission to change the subject if I may.

I want to bring up the matter of a very unfortunate situation that is developing in Northview Heights and was made worse over the weekend. Both Councilman Onorato and myself have been watching very closely the efforts of the Housing Authority Board to implement measures to curtail criminal activity in Northview Heights based on the input of the residents.

One of the things that the residents decided on sometime ago was to be able to control who's coming in and out of the neighborhood and especially by automobile not by foot tracking. The gate that will be erected is not designed to control foot traffic it's only designed to control automobile traffic.

Now that this past weekend we witnessed a very unfortunate death of an infant in Northview Heights, the people who are opposing the control of the automobile traffic are using that incident to further their political fight around whether or not we ought to control automobile traffic.

I think it's a very unfortunate use of an incident like that, the death of a six-month

year old infant baby. I would remind colleagues that it will not be easy to fight the kind of criminal activity that lead to the death of this young mother which is really what gave rise to this activity in Northview Heights. It's not going to be easy to do that and the residents were clear and still are clear even though there has been a group of residents who have organized subsequent to that residents vote to come out in opposition to this portion of the plan.

I know that as a member of the Board in investigating the question of who is it that is going in and out of this community, one of the things we found is that there are a lot of automobiles that are registered by the Department of Motor Vehicles to addresses in Northview Heights and they don't live there. They're not on the lease. So the question of the need to control the traffic in and out of there is an absolute important question. It's being made to appear that it is like a civil liberty question or a democracy question. But the people who have to live in that kind of fear of intimidation when the community is wide opened to access by any automobiles running through they're very unfortunate.

I do stand behind the community. I stand behind the Resident Council and I stand behind the decisions of the Housing Authority Board to fight the criminal activity that is going in Northview Heights including the erection of a gate that will control vehicular traffic. It's unfortunate that this baby's death is being used in that fight.

Mr. Onorato:

Let me just add to the comments again. I want to thank Councilman Udin for also holding the line and I am sure under the extreme pressure that I have been receiving also. I am sure he's receiving the same pressure. But I just want to reiterate to everyone listening and I am going to call on the electronic media to show some restraints here and accuracy in reporting. When I watched the six o'clock news and I see a filming of a chain linked fence and people chanting we don't want to be fenced in, let me make it clear, there is no fencing involved in this plan. Absolutely none, there will not be a fence put around Northview Heights. That is the biggest lie going yet it is put out there with these pictures.

The fence you see up there right now is a construction fence. They are putting cull de sacs in on three of the openings and they are putting in two electronic gate boxes. Do you know what liability if we didn't gate in a construction area while they are building and a child gets hurt in those areas? That is temporary fencing just to protect the construction area. There will be no fencing around Northview Heights.

This is about a security gate at the entranceway. Port Authority has access, emergency vehicles have access, they can go through here. That is the real issue. But if I can get that point out, this is not a gating of a community. We put fencing all around, that is not the case. I will go a step further; the advocates that are pushing against the guard gate that used this child's death for their argument is a disgrace. It is not unfortunate; it is a disgrace. Read the paper today everyone and you will see the report on it. This was a major tragedy.

There is a mother up there that will have to live with this forever, a tragedy in her family. To throw this into a political arena on this issue, I just can't imagine. I will reiterate again, that there were at least five public meetings over the last two years,

two buses twice went on fieldtrips to Monview Heights and the Greentree area to show the gated community of how it works with the guard gates. It was received well.

There was so much time and effort put in to try to allow the residents of Northview to see what was being offered and the community as a whole and it is the quiet majority right now that bought into it. Unfortunately they are being squashed.

I am going to call a restraint for one more group, you all know they are not friends of mine, but would the ACLU please step back a second. They know darn well this is not a civil liberties issue. They know this is accepted law and this is allowed. If they use this incident to get behind it, I will lose all respect for the ACLU. I will ask the board members of the ACLU when they drive home tonight to their gated community outside the city that they give the people in the City of Pittsburgh the opportunity to have some of the protections that they have. Quit being hypocrites, you know this is not a civil liberties issue and don't use this unfortunate tragedy as an excuse because it just doesn't buy here and it is not right.

I hope this continues to go forward. I want one last comment, I have the utmost respect for the Executive Director of the Housing Authority, Stanley Lowe, if any of you think his life has been a pleasurable experience in the last couple of months, well it hasn't. He has my full support and full confidence because I know what the process was.

The process couldn't have been more open and it continues to be open. He has my full support because of that reason. The community bought into this, and now I don't know what has happened with the misinformation because some of the people that are against it called my office and told me they will not put up with having a fence put around Northview, that was never discussed. It was not part of the plan.

I don't know where that is coming from except what they are reading and seeing it on TV. I would hope we get the facts out there straight and we continue to stay on course because in the long run the law abiding good citizens in Northview Heights are going to be the winners if we get this put into place.

The Chair:

Just to follow up, do you have any plan meetings up there maybe the miss information in supporting the fence. It is a shame you have to read it in the paper all the time right or wrong. Maybe with your leadership and --

Mr. Onorato:

There is a board meeting today at the Housing Authority.

The Chair:

But I mean in the community, I know you have been very active up there.

Mr. Onorato:

There is one on June 6 and June 20.

The Chair:

So we might invite the public there so that they have the whole facts.

Mr. Onorato:

They will be there.

The Chair:

Again, I hope the six-month year old death is not used.

There are two businesses. Following this week we have a two o'clock tomorrow, June 3. we have a Post Agenda discussion on secondary employment for off duty police officers requested by Mr. Diven. Thursday at 10:00 a.m. June 4 we continue the recessed meeting of the Public Hearing on Bill 21 revisiting the zoning code in its entirely.

With that I would like approval of the minutes.

MR. ONORATO moved to approve the minutes.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. UDIN moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion of Mr. Udin, the meeting adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN A. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, June 9, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor**
Ms. McDonald	**(Pres't)**

The Chair:

Would we all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

With us today we are fortunate to have our special guest Pamela Whitlock, she is ten years old in the fifth grade at John Minaedo School. She is accompanied by her father Michael who is President of the Mount Washington Community Development Corporation. She lives in Alan Hertzberg's District, District 2.

Pamela Whitlock:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Pamela, on behalf of Council, I would like to give you these flags of our city and our country.

We have many special guests in the audience today.

PRESENTATIONS

Mr. Hertzberg:

If Langley High School Baseball Team, coaches, principal, School Board Director, please come forward.

If you were here last year, you may recall that the Langley High School Baseball Team was the City League Champ in 1997. Again in 1998, Langley High School had another strong showing and won the City League Championship. We are here to honor Langley High School Baseball's Team again. Let me read the proclamation.

MR. HERTZBERG PRESENTS:

No. 510 WHEREAS, The Langley High School Baseball Team, coached by John Biedrzyski, and assisted by Thomas Matuszewski, and Radley Rauterkus won the coveted title "City League Champions" on Wednesday May 27, 1998 in a game where the score was 5-4; and

WHEREAS, having also won the City League Championship in 1997, Langley's baseball team is now back to back City League Champions; and

WHEREAS, Langley's overall record for the 1998 baseball season of 14 wins and only 2 defeats carried them to another Championship game; and

WHEREAS, members of the winning team are: two Seniors: Joe Rectenwald and D.J. Sammel; Nine Juniors: Patrick Adair, Tony Bianco, Nicholas Bridge, Jason Cischke Matt Clark, Joshua Galilei, Jason Ross, Demond Strothers, and Lamar Strothers; three Sophomores: Andy Matuszewski, Matt Rauterkus, and Josh White; three Freshmen Mark Johnson, Matthew Smith, and Gary Stacy; and

WHEREAS, Langley's baseball players have been taught that the team is more important than the individuals not only by the coaches, but also by Langley's Principal, Joseph Foriska and Athletic Director, Ray Ames; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to congratulate each individual member for their great achievement as TEAM players, and to encourage them to always be a TEAM player in all their future endeavors.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you, members of Council. It gives me great pleasure to have Langley's Baseball Team here again. We just seem to produce some strong athletic teams out of the west, not only in Langley but also in some of our little league teams. I guess what you see is the combination of some of the outstanding little league programs when the individuals become at the high school age they are also great athletes, and we have another championship team in 1998.

We have with us our elected School Board Member from the area, Evelyn Neiser. Evelyn, would you like to say a few words?

Ms. Neiser:

Thank you, Councilman. Good morning, everyone. It's always a pleasure to be here before you. We thank you for this opportunity. Of course we in the West End, City of Pittsburgh are very delighted to be here and to have back to back city championships; that's quite an ordeal. They really put us on the map.

So we thank you very much for having us this morning and congratulations once again to our guys, you did it again.

Mr. Hertzberg:

I am going to call on the Team Captain of the Langley Mustang's Baseball Team, D. J. Sammel. Come on up and say a few words.

D.J. Sammel:

On behalf of Langley Baseball, I just want to thank Alan Hertzberg and all of City Council, our fans, players and coaches, thanks.

Mr. Hertzberg:

Now to kind of take us through the year the coach, John Biedrzyski.

Mr. Biedrzyski:

Council President and Council members, thank you for this distinct honor and pleasure to be with you again. It's a real thrill to be back for the second year. I am very proud of these young men; they have worked very hard this year, under rather some adverse situations.

There were a lot of injuries early in the year and the weather was not too cooperative, but they stuck together, they practiced hard and worked together as a team just as this Council often does and they came out champions just like our city is. We appreciate this honor.

I would also like to recognize two fine men who worked with me this year, Tom Matuszewski who is also President of Elliott West End Little League Association, I am sorry he is my assistant coach. What a tremendous help he's been, and the former Captain of last year's team came back to coach this year, Brad Rauterkus. I am very proud of him for the fine work that he did.

These young men you are going to see them in the future again, I think. They are a fine group and I am very proud of them. I want to again thank this Council for the distinct honor to be here this morning.

Mr. Hertzberg:

I am going to be handing out a copy of this proclamation to each of you as you leave so don't forget. Last, but not least I want to be sure to mention the Principal of the School, Joe Foriska who sets a great example. He didn't want to make any comments, but I do want to be sure to recognize Joe and the fine job he's done at Langley both to encourage great athletes and great students. In fact, we must have them back at Langley by eleven for a test. So thank you.

The Chair:

We also want to recognize Ray Ames is the Athletic Director for 42 years, and before that he was a quarterback at Peabody. Thanks for all your help.

Mr. Ferlo:

I would like our representatives from the community Food Bank to come forward, Miriam Manion and Mr. Wolfarth, please Matthew, better known on stage as Buzz Nutley.

Good morning everyone and I am pleased and at this time I would like to offer the following proclamation. Before I introduce our guests I would like to be allowed to show this brief videotape

about the good work and activities of the Pittsburgh Community Food Bank.

MR. FERLO PRESENTS:

No. 511 WHEREAS, the Greater Pittsburgh Community Food Bank and its many volunteers collect, organize and distribute countless amounts of food and other goods to the hungry and impoverished of the City of Pittsburgh and beyond; and

WHEREAS, the Food Bank, despite support from state and federal funding sources and corporate involvement, still needs to raise private dollars to keep food flowing to hungry individuals, families and children; and

WHEREAS, on Friday, June 12, 1998 at 8:00 in the Emerald Room in McKees Rocks a benefit comedy show entitled Comedy Relief Pittsburgh will be held with all proceeds directed to the Greater Pittsburgh Community Food Bank; and

WHEREAS, Comedy Relief Pittsburgh will feature the talents of over 20 local comedians donating their time and talents to this worthy cause; and

WHEREAS, Comedy Relief Pittsburgh will raise money and public awareness about the important work of the Greater Pittsburgh Community Food Bank whose staff and volunteers have a twenty year track record of quality service and advocacy on behalf of our neighbors in need;

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Pittsburgh hereby applauds the good work of Greater Pittsburgh Community Food Bank and the organizers of Comedy Relief Pittsburgh and the many local comedians who are contributing to this effort;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Friday, June 12, 1998 as COMEDY RELIEF PITTSBURGH DAY in the City of Pittsburgh and encourages all Pittsburghers to attend this charitable event.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Before I introduce our guests Matt and Miriam from the Food Bank, I want to show the following tape.

(Which tape was shown.)

Thank you very much and thanks for the extra time. I think the good work of the Food Bank is important. I think it is an important update to the public the work of the Food Bank. Again, the $15 ticket donation for this Comedy Relief Friday night, that $15 will go a long way.

There is the old saying waste not, want not and it is clear from the work of the Food Bank that millions of pounds of food unfortunately go to waste. The Food Bank has been creative in recycling and making food available, quality food to people in need.

I think also despite the upturn in the economy, the actual reality for our city and region is even with people working, families working, the fact of the matter is that people are working for lower wages today. Families are in need, there has been cut backs in various governmental programs. So it seems somewhat ironic that the economy is getting better but there is still actually a growth of need on the part of people throughout Pittsburgh and the Allegheny County.

So the good work of the Food Bank can't go on unnoticed and needs to be supported. At this time I wanted to ask Miriam to say a few words on behalf of the Food Bank and then ask our good friend Buzz Nutley as he is known on stage, when he is not selling semi conductors for a local technology company, he's out I guess actually being funny. But in this case, he's doing something very serious and that is producing a comedy show Friday night.

Ms. Manion:

Good morning everyone. I appreciate the opportunity to come down and thank the members of City Council for their ongoing support of the Food Bank. This is a critical issue that we are all involved in; this public private partnership that we enjoy with you moves the work that we have to do forward.

I would like to especially thank Councilman Ferlo who has headed an ongoing and abiding interest in the issue of hunger and hungry children. As we all know there is often a need for food and there is always a need for laughter. I think it is a brilliant partnership to put these two things together and use laughter to provide more food for the hungry in our community.

So once again thank you all. I would like to invite any and all of you to the Food Bank to volunteer. We're in constant need of volunteers. There is lots of good work to be done there. Any of you that belong to groups, we would be happy to make special arrangements for you and your group to come at anytime at all to help in the work that we do.

We are embarking on a very ambitious capital campaign to build a new safe and efficient warehouse facility for the work that we do. I am sure you will be hearing more about that in the near future.

Thank you once again and thanks very much to Matthew, to Buzz, for the work that he is doing for us. Maybe we will see some of you at the concert, the event on Saturday evening. It sounds like it's going to be great fund. So thank you very much.

Mr. Wolfarth:

While this is weird I am not used to working in a suit, except during the day. I just want to thank Councilman Ferlo for championing this effort and City Council for embracing the idea of Comedy Relief.

Six months ago I was sitting in my room, I called HBO Comedy Relief, and I said where does that money go? They said it goes to Philadelphia. There are 13 chapters, they do great work, but it doesn't go to Pittsburgh. I said, why couldn't we do something for Pittsburgh?

We came up, I approached Jim Ferlo, he said it's a great idea, the comedians of Pittsburgh said hey, I am not booked, so they came on board. I said we don't have any money but we will give you a beer. They came on board, 25 of them strong. I appreciate their support. I appreciate the support of the Food Bank.

I don't know if anyone has ever been to the Food Bank to take a tour, they do some awesome work, for every dollar raised, they give out $5 worth of food. I know everybody in here has been hungry at one time in their life. It's not a good time.

But in closing, I just want to say thank you again. Michael Barrington once wrote, it's impossible to raise the bottom of your society without helping everyone above it. I firmly believe that, thank you very much.

Mr. Ferlo:

For those who are listening right now and are immediately moved to buy a ticket for $15, you can call Ticket Master immediately. We also have tickets available Friday night at the door. I would suggest you get your tickets in advance. I know Councilman O'Connor already contributed and bought one of the VIP Tickets, for $100.

You can be a VIP guest at this event and sit in the front rows. For $100 you will get two great comedy relief T-shirts, which unfortunately I forgot to bring out here today, which Matt you're messing up. But we have a great T-shirt, which you will see the logo design, it is in triple color and it is a great T-shirt promotion. We are going to be raising money throughout the year with the T-shirt.

Matt hopes to memorialize this as a yearly event maybe make it a yearly event. Maybe at some point we will get some of that HBO big time money for their comedy relief.

So I want to thank Councilman O'Connor and all of my other colleagues for their continual support through grants and donations, through the Community Development Block Grant of the work of the Food Bank and the Hunger Trust Fund, Just Harvest and all the other different groups.

So again, I hope to see people out Friday night. If you are one of the seniors in the city that goes to some of our senior centers, we have made tickets available that we have purchased for folks from our various senior centers. There is a big delegation coming. You can contact your senior center or Mary Esther Van Shura if you want to come that way.

A number of community groups and unions have bought tables already for Friday night. So it's going to be a great time.

It is an alcohol event if you do drink. So it's not an appropriate event for smaller kids. It's an evening event in a nightclub type of setting. But the Emerald Room, and I have never been there before, I went out there to case the joint to make sure this was going to be Cool and the Gang. It's a great place to show this kind of a comedy concert. It's kind of like a big kind of an Apollo Theater nightclub kind of place. It is going to be a great atmosphere.

It is going to be a lot of fun and again every single dollar, no money is being spent for anything administratively, postage, leaflets, everything is sweat equity and Labor. Every single dollar raised will be entirely given to the Pittsburgh Food Bank.

Matt and all his good work has been donated, all the local comedians. But if you are a VIP ticket holder, you get two tickets for the $100. You get two T-shirts. We got a T-shirt. It mysteriously appeared. This is one of the T-shirts we are going to be selling for a $25 donation. All the proceeds from the Comedy Relief will go to the Food Bank.

So the VIP tickets, you get two tickets to the event, and you get two T-shirts and you get two drinks courtesy of Councilman Ferlo. So it's going to be a great event. I hope to see you there. I want to thank again Miriam and Matt for their hard work and everyone else for their support. Thanks for the extra time today.

The Chair:

Congratulations. Thank you for all you do. I know Mr. Ferlo has been very active.

Mr. Onorato:

At this time the individuals associated with Carnegie Mellon and the visiting students please come forward. Everyone can come up too.

As you're walking forward, colleagues, we have Professor John Beckly from Carnegie Mellon University School of Art. We have graduate student Peter Kaufmann and we have a list of other individuals that will be read as we read the proclamation.

We have the visiting students from Poland here enjoying our city. We want to take a few minutes to recognize them and officially welcome them to the city.

I will read the proclamation and give you the official greeting from us.

MR. ONORATO PRESENTS:

No. 512 WHEREAS, ten students from Poznan, Poland are visiting Pittsburgh and are present today in Council; and

WHEREAS, the group is visiting Carnegie Mellon University's Academy of Fine Arts for a two week workshop; and

WHEREAS, the Dean of Carnegie Mellon University's Art Department, Mr. Lowry Burgess, in addition to Mr. Bryan Rogers and Mr. Jon Beckley are hosting the student delegation from Poland during their visit to our fair City.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the delegation of students from Poland to our wonderful City and extends to them best wishes for a successful workshop and tour.

Mr. Onorato:

Thank you for bringing them here and welcome everyone. If you could say a few words and explain what they will

be doing here and the exchange that we will --

MR. RICCIARDI moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Kaufmann:

Thank you very much, Council members for inviting us here. I would like to express our appreciation to the whole City of Pittsburgh, Carnegie Mellon University.

The Poznan Academy of Fine Arts in 1994 had decided that we would have an exchange. In 1997, last year, 12 members of the faculty and graduate students of Carnegie Mellon University went to Poznan Academy in Poland. We spent two weeks there, hosted wonderfully and had a wonderful cultural exchange and artistic exchange. We had a wonderful creative experience and we learned a lot.

This year we have had members of most of the same team, two members of the faculty and Yawn Bierdesac (Phonetic) and Marchen Bierdesac (Phonetic) who are both here who with their students came over here.

We have been working very hard two weeks to produce some works of art that are a little bit different than the works of art that most people might imagine. They have to do with community and sites specific and installation works. We were talking this morning with the Mayor about that.

So it happens to be very nice that it coincides with the Three Rivers Arts Festival, although it's not technically apart of that. We are having an opening on Friday at the Frame Gallery, which is on Forbes Avenue. Everyone is invited to that. It would be wonderful to see you there. This is a short-term exhibition. It will just be there that one-day, that one night. It is Friday 5:30 to 8:00, I believe.

So once again thank you very much. I would like to turn this over to Marchen or would you like to speak? To Irene Pazinski (phonetic) and Marchen Bierdesac (phonetic) would like to speak.

Mr. Bierdesac:

Thank you very much for the opportunity that we are here, a special thanks to Professor Jon Beckley. We started to cooperate in 1994. I met Professor Beckley in Slovakia, later I took him to Poland and we started to work together. I think that the most important thing between our schools because there's a huge distinction between the schools, is that they are different. And these differences are very interesting for both sides. I think that this is a very valuable thing.

We are also cooperating I mean about my school with another university also in Pennsylvania, was Slippery Rock, and we are very proud that we have an opportunity to cooperate with CMU which is very well-known in Europe.

A special thanks also to Irene Pazinski (Phonetic) who organized the possibility for us to be in Washington, DC to see great museums especially museums of art, because we are artists so

we are interested in it. Thanks a lot.

Mr. Onorato:

I think the next two should be read into the record. I do want to check, is there anyone in the audience today for the Veterans Group and the restoration of the memorials in the park at Uniondale Cemetery? I want to have them both read into the record then.

The Chair:

June Williams and Sarah Dixon and the youngsters from Glen Hazel please come up.

We are honored to have June Williams as the Glen Hazel Residents Management Corporation and Sarah Dixon as President of the Glen Hazel Citizens Association. We have four youngsters from Glen Hazel and we have a big event coming up this Friday.

I would like to read the resolution.

MR. O'CONNOR PRESENTS:

No. 513 WHEREAS, the Glen Hazel Community, in conjunction with the Glen Hazel Tenants Council, the Pittsburgh Public Housing Authority, the Allegheny County Housing Authority, The Pittsburgh Foundation, the City of Pittsburgh's Department of Parks and Recreation, and most importantly the people of Glen Hazel, have instituted the Glen Hazel Program Referrals & After School Program which has contributed greatly to the well being of the entire community, and,

WHEREAS, this dynamic program includes after school tutoring, arts & crafts, computer learning center, feeding program, cooking classes, sewing and design classes, softball, football, basketball, and Peewee Cheerleading teams - all of which collectively benefits the community as a whole and its children in particular, and;

WHEREAS, such programs are only as good as the people who make them work and at a dinner on June 12, 1998, the Glen Hazel Community will recognize the following people for their significant contributions, which have made this, program a great success:

OUTSTANDING HONOR STUDENT
Katie Williams (Past 5 Years)
GLEN HAZEL STARS CHEERLEADERS 1997
VOLUNTEER SERVICE
Jovonna Robinson ~ Tahonna Watson
PEEWEE CHEERLEADER 1997
VOLUNTEER SERVICE
Gelanta Morgan
OUTSTANDING PARTICIPATION
Timothy "Stickman" Cavender ~ Raymond Northcutt ~ Leandria Rich ~ Keisha Young
Lavelle Rich ~ Latasia Rich ~ Lanasia Rich
OUTSTANDING PARTICIPATION & VOLUNTEER SERVICE
Tina Robinson ~ Anthony Robinson ~ Andrea Robinson
OUTSTANDING ATHLETE
Iishmeal Swain ~ Terell Summer ~ Keenyn Williams
OUTSTANDING VOLUNTEER SERVICE
Ruth Allen ~ George Newson, V.P., GHRMC ~ Norman Battle, CitiParks Recreation Leader
OUTSTANDING DEDICATION &

COMMUNITY INVOLVEMENT
Clementine Williams, President, GHRMC
SPECIAL AWARD ~ 50 YEARS OF OUTSTANDING COMMUNITY SERVICE
Sarah Dixon

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join with the people of Glen Hazel in honoring those who have worked hard and contributed to the success of their community, and

BE IT FURTHER RESOLVED, the Council of the City of Pittsburgh, in recognition of his many accomplishments as an educator, does hereby declare, Friday, June 12, 1998, to be "Glen Hazel Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

June, you want to come up and tell us what you have been doing and it's a great community. I want to thank you very much for all you do for Hazelwood and Glen Hazel.

Ms. Williams:

To President Councilman Bob O'Connor and to the rest of the Council, our program was the first year for the after school program in Glen Hazel but we had the Summer Fun Camp for three years and this will be our fourth year of having that program. It's funded by the Pittsburgh Foundation, the Housing Authority, the Public Housing Authority and the Allegheny Housing Authority as well as the Welfare Department.

The purpose of this program is to keep the children safe, in a safe environment while learning and having fun. Our program is run five days a week, actually six days a week because we're there on Saturday too. We have a basketball team. We have a peewee basketball team, we have a feeding program. We have 68 children registered in that program and that are there Monday through Saturday. They get arts and craft and tutoring and we have learned that through that we make copies of each one of the kids' report cards and their grades have come up.

We have parents that come up to thank us because their children are more involved in their schools now. Their grades have come up and some of them are passing that were not going to pass at the beginning of the year because they just had no interest in what they were doing.

So we have a great team there of volunteers. We have volunteers that volunteer in the program and it is just a wonderful program. We want to thank you again for honoring us today.

Ms. Dixon:

I want to thank City Council and I want to thank Bob O'Connor. I also want to thank June for having me because the program that she's doing up in Glen Hazel is a great program and keeps the kids

interested and it keeps them off the street. So we don't have as many kids on the street now. We are pleased with that. Thank you.

Jovonna Robinson:

My name is Jovonna and I am in the mentors and teens on the move and I help serve.

Ms. Williams:

She's being modest. When did you start -- the peewee cheerleader's team.

Jovonna Robinson:

I am the coach of the peewee cheerleading team.

Tashana Watson:

My name is Tashana Watson and I am in mentors and I help serve and I am the assistant coach of the peewee cheerleading team.

Iishmeal Swain:

My name is Iishmeal and I am a basketball player and we lost so many games.

Keenyn Williams:

My name is Keenyn Williams I am a basketball player and I am a baseball player.

Mr. Ricciardi:

I would like to ask our honored guests Mr. Howly and Ms. Timms and Michael Radley from Parks and Recreation and all their supporters and friends if they could please come forward.

Colleagues, today we truly have Pittsburgh champions with us and individuals that are truly inspirational to us all. Also, I would like to thank Michael Radley who was very instrumental in this resolution, who is our colleague in the department of Parks and Recreation.

MR. RICCIARDI PRESENTS:

No. 514 Whereas, in the early 1980's Jim Howley tested HIV positive and in 1989 he was diagnosed with AIDS and given eighteen months to live; and,

Whereas, rather than "go quietly into the night," Jim Howley began to train for and competed in his first triathlon and, in the same month, the LA Marathon; and,

Whereas, Jim Howley has to date participated in over 40 Triathlons including the Ironman twice, founded the non-profit foundation Athletics Instead of Depression and Sickness, and in 1997 participated in the "Polar Transcontinental Triathlon for Life," running, biking and swimming 3,375 miles from Los Angeles to New York in 52 days; and,

Whereas, this years Transcontinental Triathlon for Life will not only spread the message of empowerment but will present Athletic Spirit Awards in ten cities along the route; and,

Whereas, Kelly Timms of Pittsburgh, a 15 year old wheelchair athletic who has a wheelchair record in the Richard S. Caliguiri Great Race 5k and a 100 meter record in the T-3B class at the Junior National Wheelchair Games, will receive a $1,000 Athletic Spirit Award to help her continue her inspirational wheelchair accomplishments; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates Jim Howley and Kelly Timms on their remarkable achievements and declares Tuesday, June 9, 1998 Jim Howley and Kelly Timms Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

As I stated they are truly champions, all of them, and I personally want to thank them for their role model and inspiration along and ask Michael Radley if he could please come up and say a few words and then we will introduce our special guests.

Mr. Radley:

Thank you. Good morning, Council President, members of Council. Thank you for taking the time today and for this resolution. This is one courageous group as you can see, Jim and his team, and of course, Kelly, Pittsburgh's finest wheelchair athlete. She does a great job at all the races.

We are so pleased that Kelly will have an opportunity now to return to the National Junior Wheelchair Games in Seattle, Washington, and I believe, Kelly, that is at the end of June – June 28. So we wish you the all the best. You are competing there representing Pittsburgh in all of your events.

We are just so proud to have everyone here today in Pittsburgh with us on your journey to New York. I believe, New York is your final destination, moving on from Pittsburgh to Philadelphia. We are wishing you great weather and a good time, enjoyable experiences on the way, and we want to just say safe journey and welcome to Pittsburgh.

Mr. Howley:

Thank you so much, Council members. We are honored to be here. As a native born Pennsylvanian it's good to be home. We have almost done our journey. We have been out here for over 50 some days. When I did this trip last year, I was alone and it was about empowerment. But this year as you can see I am with a team of incredible members. We have Al Kovak, Cathy Irshel, Sarah Reinhardson, and Paul Martin. As well as an incredible crew who without them we wouldn't be here.

A typical day for us might be a run for ten miles, a bike for 60 to 100, and then another run for five or ten at the end and maybe after that a 45 minute swim in Lake Erie. So, we are really out here doing nothing but having fun.

But along the way we wanted to spread the message of empowerment. Each of us are faced with our own challenge in our own way, but we faced it head on. We wanted to spread that message especially to kids. Along the way we are finding incredible people with their own inspiration like Kelly who we would love to honor. She is definitely the star of Pittsburgh. She's courageous, she is fighting her own battle, but she is not just fighting her battle, she is also an athlete and she is a person first before any of that.

For that we recognize her and we hope to help her with her goals. We have presented her with a check of a thousand dollars to help her towards that.

There are some people in the city who have been more than kind to us. This is a fundraising event so we have actually been struggling along living in an RV for 50 some days which can be tough, Diane Grecco of Station Square was kind enough to donate dinner for us all last night, Best Western of Greentree has donated rooms. We would like to thank Mike Radley for his hospitality in all the work that he did to get us here and everything from parking all the way through. He's been incredible and he also nominated Kelly.

Also, what I would like to do if possible is have a special guy on the team, I know he works a lot with wheelchair athletes and raises a lot of money, if he would like to come up and say a few words. That is Al Kovak one of our team members.

Mr. Kovak:

I spent two years after I broke my neck wasting a lot of time doing nothing. A friend came along and told me to get involved in sports. It changed my life remarkably. It is a great inspiration to see someone who was never a walker in the first place to start up sports because it is a barrier to break to get involved in sports.

You're probably the only kid in school in a chair. I am trying to make a point here. It does help you mainstream when you get involved in sports, because it changes your attitude and it changes peoples attitudes as they look at you.

Again, kids in chair get involved in sports is an inspiration to me and keeps me going. Thank you Kelly.

Kelly Timms:

I just wanted to thank the Council and Jim for giving me this award. It's going to help a lot when I go out to Seattle at the end of June.

Mr. Ricciardi:

Once again, congratulations.

The Chair:

Good luck to everyone and keep up the good work.

We have a few to be read into the record.

MR. ONORATO PRESENTS:

No. 515 WHEREAS, FESTA ITALIA '98 is celebrating the 52nd Anniversary of the Republic of Italy, the IL GIORNO DELLA REPUBBLICA on

Sunday, June 7, 1998, and this is a day for all Italians to remember their heritage, and;

WHEREAS, FESTA ITALIA is a celebration created by the Italian Cultural Heritage Society of Western Pennsylvania, an affiliate of the National Italian American Foundation, and;

WHEREAS, the success of FESTA ITALIA depends entirely on the efforts of a dedicated number of volunteers and contributors who make sure that everything goes according to plan. Since FESTA ITALIA has moved to the Strip District, it has grown tremendously, and;

WHEREAS, FESTA ITALIA will include entertainers directly from Italy, including "Il Tratturo," a 5-piece bag-pipe ensemble, "The Firenze Quartet," Felice Fava, tenor from I Campagnoli, Domenico Ciallella, clarinetist from Molise, Italy, and Sabiola Nencini, pianist, and the Metropolitan Italian Symphonic Band, and;

WHEREAS, entertainment includes Regional Exhibits, Cucina Italiana, a Children's Art Area, Mercato Italiano, Genealogy, Italian Vintage Cars and Motorcycles, and Strolling Mandolinist Joe Bucciero. There will also be Pyrotechnic "Salutes" courtesy of Zambelli Fireworks Internationale, and many games, raffles, and prizes given away in honor of the celebration of Millenovecento; and

WHEREAS, Consulate of Italy, Joseph F. D'Andrea will give the welcome address and remarks. Mass will be celebrated in Italian at St. Stanislaus Kotska Church, by the Most Reverend Donald W. Wuerl, Bishop of Pittsburgh.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the great amount of hard work and dedication by the volunteers and contributors of FESTA ITALIA. Council congratulates these individuals and all the members of the Italian Cultural Heritage Society of Western Pennsylvania for their great pride in their Italian heritage.

FURTHER BE IT RESOLVED, that Council wishes to congratulate all participants of FESTA ITALIA '98 and wishes everyone great fun during the celebration.

Also,

No. 516 WHEREAS, the replacement of the G.A.R. headstones at Divisions #3 of Union Dale Cemetery is a project which was started by Mr. Ed Evans. Since the death of Mr. Evans, other members of the Veterans Political Action Council have followed through to make sure the project was completed; and

WHEREAS, this project involves the replacement of 265 headstones which were installed in memory of individuals who served in the Civil War; and

WHEREAS, the individuals involved in this project, Mr. John Horback, Mr. Albert Vogel, Mr. David Evans, Mr. Bill Reynolds, and the historical society in Washington, D.C.; and

WHEREAS, on June 14th, 1998, Flag Day, the headstones will be blessed and rededicated.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends VPAC and each of the individuals involved in making the replacement of the Civil War headstones at Union Dale Cemetery possible.

MR. RICCIARDI PRESENTS:

No. 517 Whereas, Walter Meussner married Regina Dechmerowski on June 22, 1948 at St. Adalbert's Church in Pittsburgh's South Side; and,

Whereas, Walter and Regina Meussner settled in Pittsburgh's Allentown neighborhood and Walter was employed at the former Duquesne Brewery and the Steel Valley Technical School; and,

Whereas, Walter and Regina raised three children, Robert of Carrick, Walter of Bethel Park, and Gloria of Allentown, and now have four grandchildren; and,

Whereas, Walter and Regina Meussner celebrated their 50th Wedding Anniversary at the Warehouse Café in Bethel Park on June 14, 1998; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh congratulates Walter and Regina Meussner on their 50th Wedding Anniversary and declares Sunday, June 14, 1998 Walter and Regina Meussner Day in the City of Pittsburgh.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 518 WHEREAS, Shirley Dorsey is a longtime resident of Pittsburgh and member of Shaare Torah Congregation, and has devoted her time and energy to her community, and,

WHEREAS, Shirley has given 25 years of service to the Sisterhood of Shaare Torah Synagogue, and has initiated many programs contributing to the improvement of the synagogue, including the sponsorship of The Tuition Free Hebrew School, the complete redecoration of the synagogue and social hall, and the refurnishing of the kitchen, and,

WHEREAS, Shirley has taught in the Hebrew and Sunday Schools and has served as principal of the schools, is on the synagogue board and has served as co-chairperson of many banquets, and was chairperson of Paul Zim's concerts, and,

WHEREAS, Shirley is co-president of the Women's Branch, the Women's Auxiliary of the O.U., and has been teaching at Hillel Academy for many years, and is currently teaching Hebrew to New American Children who attend Hillel, and,

WHEREAS, Shirley is a well-respected and valued member of the Pittsburgh community, as well as the Shaare Torah Sisterhood, and is being honored at the Sisterhood's 50th Annual Donor Dinner on Sunday, June 14, 1998, for the 25 years of service and dedication she has exhibited,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the contributions made by Shirley Dorsey during her years of service to Shaare Torah Synagogue,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, June 14, 1998, "Shirley Dorsey Day" in the City of Pittsburgh for her outstanding efforts to improve her community.

Also,

No. 519 WHEREAS, Dr. Thomas Detre has made many contributions to the Pittsburgh area in the capacity of currently Senior vice Chancellor for Health Sciences at the University of Pittsburgh and Distinguished Service Professor of Health Services, and,

WHEREAS, Dr. Detre was formerly President of the University of Pittsburgh Medical Center, President of the Medical and Health Care Division, Associate Senior Vice Chancellor for Health Sciences, Chairman of the Department of Psychiatry at the University of Pittsburgh School of Medicine, Director of Western Psychiatric Institute and Clinic, has an endowed professorship as Distinguished Professor of Psychiatry and Neuroscience, and,

WHEREAS, Dr. Detre came to the United States in 1952, served an internship at Morrisania City Hospital in New York City, received his postgraduate training in psychiatry at New York's Mount Sinai Hospital and Yale University, and was appointed to the faculty of the Department of Psychiatry of Yale University and later became a Professor of Psychiatry and Psychiatrist-in-Chief of Yale-New Haven, and,

WHEREAS, Dr. Detre has published numerous articles and chapters on recurrent depression, violence and aggression in children, and other biologic aspects of mental disorders as well as on health policy issues, and,

WHEREAS, Dr. Detre has played a leadership role in national activities on health research policy, serving as chairman of various study sections and advisory committees of the National Institutes of Health; Alcohol, Drug Abuse and Mental Health Administration; Food and Drug Administration; and the United States department of Veterans Affairs, and is a past president of the American College of Neuropsychopharmacology and served a three-year term of service on the National Advisory Mental Health Council,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dr. Thomas Detre upon his being honored at Hillel Academy's 51st Anniversary Celebration on Sunday, June 7, 1998,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, June 7, 1998, "Dr. Thomas Detre Day" in the City of Pittsburgh for his contributions to the advancement of Pittsburgh and national medicine.

MR. O'CONNOR PRESENTS:

No. 520 WHEREAS, Keiko Tonegawa's hard work, commitment and dedication toward the development of a Sister City relationship with Pittsburgh; and,

WHEREAS, Keiko Tonegawa's planning and arranging of the well-organized and successful festivities -- the signing ceremony with musical performances, the tea ceremony, the instrumentalists and dance routines, the flower arrangements, the tour of Bonsai Village, the tour of the new Urban Center, and many many more, including the reception hosted by Pittsburgh; and,

WHEREAS, Keiko Tonegawa's dedication and commitment in implementing the well-organized and successful business meetings with City executives, the Chamber of Commerce and leaders of several companies and subsequent individual tours, which will lead to potential Japanese investments in the United States and trade delegations by the Chamber of Commerce and business leadership to Pittsburgh; and,

WHEREAS, Keiko Tonegawa's dedication and commitment in implementing the well organized and successful luncheon meeting with the Rotary and Lions Clubs; and,

WHEREAS, the punctuality and professionalism Keiko Tonegawa possesses, his ability to pay close attention to detail, and his time and patience above and beyond the call of duty.

NOW THEREFORE BE IT RESOLVED, Keiko Tonegawa, we thank you for a flawless mixture of business, education and enjoyment which can only enhance the bond our two cities share and, therefore, allow for its continuous cultivation; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does thank Mayor Takahiro Shindo and Council Chairperson Hiroshi Suzuki for their outstanding efforts in developing an everlasting Sister City relationship between the City of Pittsburgh and the City of Omiya.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 521 WHEREAS, Dr. Cyril H. Wecht is certified by the American Board of Pathology in anatomic, clinical, and forensic pathology, is a Fellow of the College of American Pathologists and the American Society of Clinical Pathologists, is currently the Chairman of the Department of Pathology and President of the Medical Staff at St. Francis Hospital in Pittsburgh, is actively involved as a medical-legal and forensic science consultant, author, and lecturer, and serves as the elected Coroner of Allegheny County,

WHEREAS, he is an Adjunct Professor at the University of Pittsburgh and Duquesne University, serves as President of the American College of Legal Medicine and the American Academy of Forensic Sciences, serves as Chairman of the Board of Trustees of the American Board of Legal Medicine and the American College of Legal Medicine Foundation, is the author of 370 professional publications; an editorial board member of more than twenty national and international medical-legal

and forensic scientific publications, and the editor of several medical publications, and,

WHEREAS, Dr. Wecht has organized and conducted Postgraduate Medical Legal Seminars in more than 50 countries throughout the world in his capacity as director of the Pittsburgh Institute of Legal Medicine, has performed approximately 13,000 autopsies, and has supervised, reviewed, or been consulted on approximately 30,000 additional post-mortem examinations, and,

WHEREAS, Dr. Wecht has appeared as a frequent guest on national television and radio shows, discussing various medicolegal and forensic scientific subjects, including the assassinations of President John F. Kennedy and Senator Robert F. Kennedy, the death of Elvis Presley, the O.J. Simpson case the Jon-Benet Ramsey case, and has addressed numerous other cases of national renown in his books, Cause of Death and Grave Secrets,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Pittsburgh recognizes and honors the contributions of Dr. Cyril H. Wecht to the national and local medical arenas, and congratulates and commends him upon his reception of the Lifetime Achievement Award for the Allegheny/Ohio Region of B'nai Brith, on Wednesday, July 8, 1998,

BE IT FURTHER RESOLVED, that the City Council of the City of Pittsburgh does hereby declare July 8, 1998 "Dr. Cyril H. Wecht Day" in the City of Pittsburgh, for his many contributions to the City of Pittsburgh.

Also,

No. 522 WHEREAS, Elizabeth "Betty" Bauman is celebrating her 100th Birthday on June 6, 1998, with her family from all over the country at The Greenfield Community Center, and,

WHEREAS, Betty Bauman was born in Czechoslovakia on June 6, 1898 and moved to Pittsburgh when she was a young girl, and has lived in the Pittsburgh neighborhoods of Hazelwood, Northside, Westview, and currently resides at 954 1/2 Kennebec Street in Greenfield, and,

WHEREAS, Betty has a large and loving family, consisting of two daughters, Lillian and Violet, nine grandchildren, thirteen great grandchildren, and one great-great grandchild, and,

WHEREAS, Betty enjoys playing cards and spending time with her friends at The Greenfield Senior Center, during the week, goes to her Lutheran Church on Sunday mornings, goes out to dinner with her daughters every Sunday evening, and spends time with her family on holidays,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does recognize and congratulate Betty Bauman on the celebration of her 100th Birthday on June 6, 1998,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare June 6, 1998, "Betty Bauman Day" in the City of Pittsburgh.

MR. O'CONNOR PRESENTS:

No. 523 WHEREAS, Irvin S. Bails has served the Tree of Life community and the Pittsburgh community for many years, and is a graduate of Taylor Allderdice High School, the University of Akron, and Duquesne University Law School and,

WHEREAS, on May 18, 1998 Tree of Life Congregation honored Irv Bails for his service as the 37th President of Tree of Life Congregation, at the Congregation's 134th Annual Meeting and,

WHEREAS, Irv Bails has distinguished himself as founding partner of Frank, Bails, Kirk, Murcko, and Toal, and has been serving as Special Master for Judge R. Stanton Wettick, Jr. since 1996, and was also a partner with Baskin, Flaherty, Elliot, and Mannino, and was Staff Attorney, Deputy Director and Executive Director of Neighborhood Legal Services and,

WHEREAS, Irv is active with the Academy of Trial Lawyers of Allegheny County, and other organizations, and has lectured and written extensively on personal injury cases, orthopedics for lawyers, civil trial procedures, and workers' compensation cases and,

WHEREAS, in pursuit of excellence in his profession he has garnered numerous awards including the Home's Ketchup Kids Legal Service Award, the Pennsylvania Client's Counsel Service Award, the James McCoy NAACP Organization Award, and the American Bar Association Award of Achievement and,

WHEREAS, in addition to an outstanding professional career Irv, as a resident of Pittsburgh, is active with the United Way of Allegheny County Speakers Program, the Greater Pittsburgh Rehabilitation Center, Pennsylvania Right to Education Task Force, and is on the faculty of the National Institute for trial Advocacy and

WHEREAS, Irv is a dedicated member of Tree of Life Congregation and has served on the Strategic Planning, Legal, Personnel, Ritual, Nominating and By Laws Committees, as well as serving as Chairman of the Membership Committee, and has most recently served as 37th President of Tree of Life Congregation,

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Irvin S. Bails on the occasion of his being honored for his service as President of Tree of Life Congregation at their 134th Annual Meeting on May 18, 1998, and extends our thanks and appreciation to him for his many contributions to his neighborhood and his city.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby name Monday, May 18, 1998 "Ivita Bails Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolutions.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Moving to presentation of papers.

MR. DIVEN PRESENTED:

No. 524 Resolution providing for the transfer of funds totaling $243,618 from various accounts with the Bureau of Police to the Bureau of Police Premium Pay Account.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 525 Resolution granting unto the Foundry AleWorks, 2816 Smallman Street, Pittsburgh, PA 15222, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk café on a portion of the sidewalk area at 2816 Smallman Street in the 6th Ward, 7th Council District. **(SPONSORED BY MR. FERLO)**

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 526 Resolution providing for an agreement with City Source Associates for providing professional services for the 1998 Community Enrichment Program not to exceed $130,500.

No. 527 Resolution providing for a lease(s) and/or license agreement(s) for the use of certain property for senior citizen facilities not to exceed $155,367.00.

No. 528 Resolution authorizing the Mayor to change the name of the Shaler Parklet Playground to the Eileen McCoy Playground.

Which were read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 529 Resolution providing for an agreement with the Port Authority of Allegheny County granting permission to construct a permanent drainage easement along the northern edge of City-owned property.

No. 530 Resolution providing for the filing of a petition for the sale of certain property acquired at tax sales in accordance with Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act". (Forbes Avenue)

No. 531 Resolution providing for the filing of a petition for the sale of certain property acquired at tax sales known as lien excluded properties in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act". (Ellis Street)

No. 532 Resolution providing for the conveyance by the City of certain property under Act No. 171 of 1984 entitled, "Second Class City Treasurer Sale and Collection Act". (Bedford Avenue)

Which were referred to the Committee on Finance and Budget

The Chair:

Thank you. Any unfinished business to come in front of Council.

UNFINISHED BUSINESS

Mr. Onorato:

Colleagues, back in January of 1997 we approved a conditional use for a new middle school in Brighton Heights. It is now called the Rooney Middle School. There have been discussions, I guess because of feeder patterns, overcrowding, whatever the issue, the School Board, one of their proposals are to build these demountables, if I am saying that correctly, on this location. It is my belief in reading the conditional use, that interpreting the conditional use that would be in direct violation of what we gave the conditional use to do. I would hope and I am calling upon the Solicitor's Office and the Planning Department to make sure the School Board comes back to us to amend the conditional use.

I just want to point out real briefly, the conditional use, basically they took an old drug and rehab building that sits on almost seven acres of land, it is a gorgeous campus. There is a senior citizens high rise on one side of it and there are residential properties all around it. The property was zoned R-2. We gave a conditional use for a school of 356 students, 51 automobiles, and the renovation of the existing building. Those words were used and are in the conditional use the piece of legislation; it lists about five different criteria's that we adopted right from the Planning Commission.

That is that the proposed school is reasonable in size, and the location, that they would only change the existing structure, that no additional utilities or access roads. It was very specific and it goes on and it goes on. But now they want to put two basically mobile school buildings on this site next to it and that would definitely change the characteristic once again of the neighborhood and that is why we gave it conditional use. It was for a specific purpose.

That purpose is very successful. We have a middle school there. I did not push for and endorse a conditional use to give a blanketed use by right to do anything on this acreage. I think it should come back in front of us as a change in the conditional use if they want to do that and have to prove to us why it is needed so we can evaluate the impact to the neighborhood.

It is my understanding that there is major opposition to these demountables being built here. I don't blame them because it is going to change the fields, the parking lots, the ballparks and put buildings on there. What is really ironic is it is not for the school where they are building it; it is for the grade school that is a block a way. The grade school doesn't have room so they are building portable rooms down at another school for the grade school.

I mean, it is really bizarre so I would hope that, one that the Clerk send an immediate notice. I put them on notice, but I want to send a notice to whoever handles the building permits, which I think is BBI. Make sure they do not grant a building permit to do this; and two that a formal request come through

legislation to change the conditional use and nothing be granted or built here without the proper public input and process that we need.

The Chair:

Thank you. Anything else under unfinished business?

I would like to mention after the tornado I know there was a lot of discussion at the Wednesday meeting we're talking about maybe doing a proclamation for all those involved. I think all of Council along with the Mayor's Office should be a part of this.

So if you have any suggestions and -- because we don't want to miss any of the groups, there were so many. So if you want to contact my office of who should be recognized and the proper time too. I think right now they are still very busy working, but we don't want to forget of all of them and I think we all want to be a part of some recognition for them.

Mr. Ricciardi:

Thank you. Since you did raise the issue, instead of saying this after the meeting, I feel compelled to say it now. I just want to personally recognize the fine efforts of all the residents in the City of Pittsburgh for the way they met this challenge. Especially the neighborhoods that I represent of Arlington and Allentown and Beltzhoover and the South Side Slopes and the Beck's Run neighborhood who have been hit. I really want to thank all those neighbors for coming together and working together, and the can do effort that I am noticing from Public Works and Environmental Service.

Mr. President, yesterday was a perfect example. I was in Allentown. A woman was trying to do something with her roof. I went down to the former sixth division; I met with the supervisor Mr. Paolino, with Barb, and with Mark. Within the next few hours the work was taken care of.

Public works has not been questioning is it ours, is it theirs, it is on private property, is it unsafe to remove. I really want to thank and I agree with you, Mr. President, we are going to have to get all the names and groups together. But first and foremost the residents of the City of Pittsburgh for meeting the challenge. In my case parochially I just want to thank Mr. Paolino, Barb, all the foremen and laborers, both men and women, of the former 6th division for coming together and helping out on this. I really commend them and thank Mr. Ralph Kraszewski and others.

The Chair:

I know my Aunt Emma thanks you too. She lives right up by St. Henry's and all the organizations. I believe you were out of the room last Wednesday when we all spoke on the thank yous from everyone in our neighborhoods and we saw the great work that was done.

I think my point is now, we want to all come together as a group and with the Mayor and bring them down for some recognition, and we don't want to miss whether it be the Red Cross or whoever, Salvation Arm.

Mr. Hertzberg:

Yes having seen that and seen the fine efforts by the residents and also by our city and related personnel, we would need a very large room if we bring everyone. Virtually every department from top to bottom and some of our authorities were involved in some of the efforts and the efforts aren't anywhere near over either.

They're very much ongoing and in my Council District 2 was I would have to say hit the hardest. Although what you heard mostly in the news was of damage to Mount Washington that was definitely where the most significant damage was. There were also other neighborhoods in Council District 2 that received some pretty severe damage.

But I will be happy to turn in a list, but it will be a long one, I will tell you that now, Mr. President.

The Chair:

As Council we want to pay special recognition to everyone involved whether it is company and a representative or whatever we can do. This is usually the best platform, this room, but if we need something bigger, we will be glad to do that too.

I just want you to put your thinking caps on and in the next couple of weeks we can all come together for that.

Actually in Hazelwood, we set up an information center from I think 12 to seven for anybody who needs help down there.

Anything else under unfinished business?

First we want to read into the record the emergency legislation we passed last Wednesday.

MR. O'CONNOR PRESENTS:

No. 533 A Resolution of the city of Pittsburgh, Pennsylvania declaring a state of local emergency in order to protect the health, safety and welfare of the community; and property, both public and private, from the hazards of tornadoes and severe weather.

WHEREAS, tornadoes and severe weather have the potential for causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public draining systems, commercial and residential buildings and areas; and

WHEREAS, Title 35, Pennsylvania Statutes, provides authority for a political subdivision, such as the City of Pittsburgh, to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performing of public work and taking whatever action is necessary to ensure the health, safety and welfare of the community;

2. Entering into contracts;

3. Incurring obligations;

4. Employing temporary workers;

5. Utilizing volunteer workers;

6. Renting of equipment;

7. Appropriating and expending of public funds; and

WHEREAS, tornadoes and severe weather negatively affect the health, safety and welfare of citizens and visitors of the City of Pittsburgh.

NOW, THEREFORE, be it resolved by the Council of the City of Pittsburgh as follows:

Tornadoes and severe weather pose a serious threat to the lives and property of residents of the City of Pittsburgh and that a State of Local Emergency shall be declared, effective immediately, for all territory within the corporate boundaries of the City of Pittsburgh.

BE IT FURTHER RESOLVED that the City of Pittsburgh hereby exercises its authority and waives the procedures and formalities required by law of a political subdivisions as provided in Title 35, Pennsylvania Statutes.

Which was read.

The Chair:

It has been voted on.

Now moving to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 534:

Report of the Committee on Finance and Budget for June 3, 1998, transmitting one ordinance and one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 451:

An Ordinance amending the Pittsburgh Code, Title One – Administrative, Article XI: Personnel, Chapter 185: Vacations, by changing the way non-union employees accrue vacation time.

Which was read.

Also,

Bill No. 487:

Resolution authorizing the transfer of $379,000.00 from the Local Law Enforcement Block Grant Trust to the Equipment Leasing Authority for the purchase of police vehicles and related accessories. (PRESENTED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Hearing none bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Ferlo
Ms. McDonald
Mr. Udin
Mr. Diven
Mr. Hertzberg
Mr. Onorato
Mr. O'Connor (Pres't)

(Mr. Ricciardi abstain on bill 451.)

Bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 535:

Report of the Committee on Public Works, Water and Environmental Services for June 3, 1998, transmitting one resolution to Council.
Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 463:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderails at various locations throughout the City of Pittsburgh, and providing for the payment thereof. Cost not to exceed $63,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? Bill is now ready for final action, all those in favor of the passage of the bill vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Ferlo
Ms. McDonald
Mr. Ricciardi
Mr. Diven
Mr. Hertzberg
Mr. Onorato
Mr. Udin
Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill has received the legally required number of votes and is passed finally.

MR. ONORATO PRESENTED:

Bill No. 536:

Report of the Committee on Planning, Zoning and Land Use for June 3, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 470:

Resolution amending Resolution No. 739 effective 11/21/97 entitled "Resolution authorizing the City Controller's office to create a trust fund for the depositing of funds from the Southwestern Pennsylvania Regional Planning Commission (SPRPC)" so as to change said Trust Fund name to read "Operating Grants Trust Fund" to include funds for deposit in said Trust Fund,

chargeable to and payable from: 000000-2670-110000-600-1997.

Which was read.

The Chair:

You have heard the reading and title of the bill any discussion on the bill? Bill is now ready for final action, all in favor of the passage of the bill vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES Nine NOES None

Bill has received the legally required number of votes and is passed finally.

MS. MCDONALD PRESENTED:

Bill No. 537:

Report of the Committee on Parks, Recreation and Youth Policy for June 3, 1998, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 465:

Resolution authorizing the Department of Parks and Recreation to enter into a contracts or contracts, agreement for the payment of supplies, equipment, materials, salaries, rentals and other services required to provide center services for the HACP recreational and Senior programs in an amount not to exceed $935,400.00 chargeable to and payable from Account 525500, Organization 500000, Fund 2610, Subclass C1998, Grant/Project No. 2215003, Budget Year 1998.

Which was read.

Also,

Bill No. 466:

Resolution authorizing the Department of Parks and Recreation to enter into contracts or agreements or use of existing contracts or agreements for the purchase of furniture and equipment in an amount not to exceed $100,000.00 for the Parks and Recreation Senior Interests Programs. Account 500000, Organization 102000, Fund 2610, Subclass C1998, Grant/Project 2239503, Budget Year 1998.

Which was read.

Also,

Bill No. 467:

Resolution authorizing the Department of Parks & Recreation to

enter into a contract, agreement or the use of existing contracts or agreements for the purchase of furniture and equipment in an amount not to exceed $170,000.00 for Community Recreation Centers from Account 500000, Organization 102000, Fund 2610, Subclass C1998, Grant 2239516, Budget Year 1998.

Which was read.

Also,

Bill No. 468:

Resolution providing for the payment of supplies, equipment, materials, salaries, rentals, and other services required in connection with the Baseball is GREAT (BIG) League Youth Sports Program in an amount of $100,000.00 Dollars, Chargeable to and payable from account 525500, Organization 102000, Fund 2610, Subclass C1998, Grant/Project G224117, Budget Year 1998.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

We will mention my son is in the big league, pony league, now and travels acrossed the city, they do an excellent job. Unless you see it all first hand, we don't appreciate all they do.

Bills are now ready for final action, all in favor of the passage of the bills vote aye when their names are called; all those opposed, vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

AYES None NOES None

Bills have received the legally required number of votes and are passed finally.

MR. DIVEN PRESENTED:

Bill No. 538:

Report of the Committee on Public Safety Services for June 3, 1998, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 488:

Resolution providing for a Contract or Contracts or Agreement or Agreements or the use of existing Contracts or Agreement for the purchase of supplies, equipment and services for the Bureau of Police and providing for the payment thereof cost not to exceed $247,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill? Bill is now ready for final action, all in favor of the passage of the bill vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bill has received the legally required number of votes and is passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

I will be very brief, we had a job fair, Mr. President and members of Council, this past Saturday in the Lawrenceville Moose and over 300 residents not only throughout my Council District but from some of the other neighborhoods that are represented around the table today.

I want to thank Director Parees and all the staff from her department, the Mayor's Office, the community groups, especially East Side Community Employment Center. We were specifically taking applications and had company representatives from the Shop'n Save and the CVS new drug store that will open hopefully shortly after Labor Day in the Lawrenceville community with tremendous help from the Urban Redevelopment Authority. We had representatives from the new hotel in the Oakland community.

I would say close to 300 residents came from neighborhoods throughout the city. It was clear that despite the economy that many people were out there badly in need of employment and meaningful job opportunity. So, I thought it was a good event. I hope it can be a model for other employment activities whether it be the Lazarus or all the other things that we are funding in terms of job growth and development.

I think if we spend a little extra money and do these outreach job fairs, we will target the city residents that are most in need of an opportunity and have a direct linkage between that individual seeking employment or an opportunity with the company representatives. So, I want to thank all of those involved. There were about 22 people that took off their time and volunteered on Saturday. It was a great event, and I just want to thank all of those involved.

Now that I made a nice comment, let me turn to something a little more unpleasant. I happened to be coming home from work Friday night, listening to KDKA radio, the Thor Tollo show. Only

to hear an unusually vituperative commentary by our good Mayor Tom Murphy. It was even out of character for him. He was attacking me right and left.

First of all to Mr. Thor Tollo who kept saying on the air that I stiffed him on a show, I have been in office eleven years. Anyone who knows me knows that I always comply with any opportunity for a scheduled appearance on a radio or TV show. I can't remember in eleven years ever not appearing or showing up when I say I am going to show up. There may have been some confusion.

I was in my office over a week and a half ago waiting for his call. When KDKA does have me on the air whatever the show is, you can check with Mr. Hansburger, Mr. Cigna or anybody else, it is always the case that a producer will call me, and I immediately get on.

I don't have a radio in my office in the City County Building, and in fact for those colleagues who know that AM radios don't even work here on the 5th floor. So if there is some confusion let me publicly apologize for not appearing when he says I stiffed him. I did not stiff him, and if I messed up or if there was some confusion, I was in my office till ten to seven, before the Pirate game. I believe there was a Pirate game that evening started, when I finally got back into my car around ten to seven, there were some out of town guests on. I don't know what the confusion was. But I will apologize; it's not like me not to appear on the radio to talk about Plan B or anything else.

Now in terms of the vituperative comments of Mayor Murphy, he made two comments, which I found astounding. By the way he wasn't just attacking me, he was attacking Mr. Walko and State Representative Gigliotti and Mr. Olasz and I don't know whom else. I think there was a whole laundry list of elected officials.

Let me just set the Mayor straight on two things because he accused me of seeking a no bid contract on the billboard, on the shelter transit program. Let me record history accurately here. It has been at least a year ago that I went to the Mayor and the administration with the notion of having a pilot transit program. A very exciting proposal that was put together by Gateway Outdoor Advertising. It has been with their tutelage and support right from the beginning, the Mayor himself included in supporting the notion of a pilot program.

There is nothing clandestine, nothing illegal, nothing inappropriate, nothing nefarious, nothing unethical and it is a win, win, win. I took that and for the last year I have been attempting to amend the zoning code and to work with the administration and all of the colleagues here in trying to figure out how best to do this shelter program. When the bills got to the Council table, a number of colleagues for whatever reasons legitimate included, have raised the issue about some type of competitive bid. At that point, I directed my energies towards constructing a request for proposal competitive review process.

Colleagues still are concerned that it be a more pure and simple competitive bid. This morning we met with the administration and I am working on that

to try to resolve any conflict.

I don't know what the problem with the Mayor is. I know he spends a lot of time on his farm in Butler County, maybe the methane gas from the cow manure is getting to his head, but I want to straighten him out on anything that he made comments about on KDKA on Friday night.

Secondly, I don't know if he thinks all Italians look alike, but it was Mr. Ricciardi that was making the outrageous comments last week and rightfully so, and appropriate comments about Mr. Cranmer and Plan B asking for the Attorney General. I made no such comments. I don't know why he didn't attack Mr. Ricciardi. I think he was confusing Ricciardi ending in a vowel with Ferlo ending in a vowel.

But I am Jim Ferlo and I thought I made very reasonable criticisms last week of Commissioner Cranmer. I am a supporter of the Plan B, notwithstanding my reservations about a number of guarantees that I think the Rad Board should seek. But more importantly, I don't know what was the genesis of those comments. I was raising the issue and I still raise the issue and I believe in my heart that it was inappropriate for Commissioner Cranmer however much he wants to quarterback the Plan B initiative to yank off a board member from the Rad process.

I think it is a bad message to be sending to the public. There are folks waiting in the wings under the Home Rule Citizens Referenda that want to undo the Rad process and the Rad funding. Losing the Rad funding would be devastating to the City Operating Budget. It would be devastating to the plethora of organizations that live and dye everyday on that available funding. It has been one of the best things that has ever happened in the region as far as I am concerned, the Rad funding. So I am concerned and I have rightfully raised a concern about the activities of Mr. Cranmer.

The other comments were comments made by my good colleague Councilor Ricciardi. So I just want to clarify to the good Mayor what actually happened. But thank you.

The Chair:

Any other comments? You don't want to repeat last weeks do you?

Mr. Ricciardi:

Just to say they were not outrageous comments, they were right on point.

The Chair:

Alright. Just one or two points. Again, you are working for a competitive bid. I think that's been very clear.

We will have a Plan B -- we still have a Plan.

Mr. Ferlo:

I didn't start talking about Mr. Malone, I didn't start talking about all the people that he has made wealthy, and no bids. If we want to start talking publicly about his activities, I will be glad to do that anytime.

The Chair:

We will reschedule that meeting for some other day.

Speaking about Plan B, we do have a Thursday meeting, this Thursday at 9:00 still scheduled with the Mayor for our briefing on Plan B. Any of that discussion can come up.

I would like to follow up what you said, Mr. Ferlo, as far as the Job Fair. If there are any plans or a mechanism maybe we want to put into place. I know you have been a leader and an advocate for when we do put -- especially our city money into any business, that they hire city and local people. Whether it be the Lazarus upcoming, if you would want to do something in each Council District, I would maybe request that there be a communication with the Council member well ahead before a business starts hiring, such as the Lazarus or any other developments that we have in the city so that we all continue what you did in Bloomfield.

Mr. Ferlo:

Thank you.

Mr. Cohen:

On a separate issue, I want to speak once again about this building, the City-County Building. We all know that it is a grand old building. But its physical condition just does not reflect its importance as the headquarters of both city and county government. As I have spoken here before much of this building is dirty inside and outside. It has loose plaster. It needs to be painted and on any given day at least one out of four of the elevators in this building is down.

It really is a disgrace that this building is in such a condition given that so many residents come here for city services. City services ranging from permits to taxes to Public Hearings right here in these chambers, county services everything from deeds to wills to court filings and of course not to mention all of the courts that are in this building including family court. We certainly have many people coming to that court.

Since becoming Chair of General Services Committee, I have been meeting regularly with Guy Costa, the Director of General Services. I would like to tell everybody that he has been taking this issue very seriously and really leading an effort to really spruce up this building. So I would like to announce this morning that the following will be taking place very shortly.

Number one, starting in one week the four stairwells in this building will be redone. That includes replacing the loose plaster, it includes painting the stairwells, including the railings and doors, and cleaning the marble walls and the floors.

Starting in August, during our recess so that it can be done when fewer people actually come to this building, the portico on the Grant Street side will be cleaned by the city. The county will be cleaning the portico or the outside of the Ross Street side of this building. It will be the same contractor so there isn't additional expense involved. Bids will be going out in the next few weeks and they will be competitive bids.

On the elevator issues, that is perhaps the most frustrating part of this building. It is terrible to have the public come to this building for various services and the first thing they do is have to wait an unreasonable amount of time to try to get an elevator. The freight elevator has to be the first one, because our freight elevator situation is so bad. The city's is down; the county's is on its last leg.

So the freight elevator will be replaced this year to the tune of $200,000. We were expecting the county, hoping and expecting the county to pay for half of this but they just declined to do that. So we have to find an additional $100,000 to do that. Hopefully that will change before the expenditure actually takes place.

We hope to have one passenger elevator on the Grant Street side, on the city side redone this year. Every elevator to be redone costs $167,000 per elevator. This is a serious expenditure. But it is an expenditure that needs to be done. That is not a confirmation that that is going to be done this year. I would like to encourage the administration to work with us to find the money and with our Finance Chair Councilman Sala Udin find the money to at least do one passenger elevator on the Grant Street side this year.

I will also be lobbying Council pretty vigorously to put in money into the capital budget to do two more elevators next year and also to do two more in the year 2000. Once that happens, all of our elevators will be up to speed, state of the art and will actually work when people come here to get onto the second and higher floors.

The county has unfortunately declined to do any elevators in 1998 or 1999. Frankly, I do not think that they have lived up to their responsibilities to this building, and by declining to help us do the freight elevator or do any passenger elevators in 98 or 99 they are doing a disservice to this building.

Finally, the woman's bathroom on this floor will be replaced. That will happen this year to the tune of $40,000. We hope and expect that we will be able to do the men's bathroom next year. Those two bathrooms are in terrible condition. They are functional; I don't want to give the wrong impression. But they just need an overhaul. So, we still have a long way to go.

But I did want to take this time to make these announcements about what is going to happen with this building, to personally thank Guy Costa for staying on top of this and doing an excellent job and to encourage the Mayor and the Budget Office to find the money for a single elevator replacement this year, the passenger elevator, and to work with us to try to get the other elevators, the city elevators done next year and the year after.

The Chair:

Thank you.

Mr. Udin:

First of all I want to thank Councilman Cohen for seriously pursuing some of the questions that we have been raising about this building consistently for as long as I have been on Council. I was wondering whether or not the

Councilman has been in direct contact with the Commissioners or are we still dealing at the level of staff? Because I think that the fundamental problem lies in the division of the city and county in terms of managing this building. I think that these problems are going to persist until that most fundamental problem is resolved and it has to be resolved at a high enough level.

Finally, I would just add that my pet peeve about the elevators, aside from getting them overhauled it doesn't cost anything to get them cleaned. I don't understand why we can't keep the elevators clean.

Mr. Cohen:

Just to respond real quickly, the negotiations at this point have been at the staff level. I just learned this morning that the county declined to participate in the freight elevator overhaul and that they aren't going to be doing any elevators for 98 and 99. I think now is the time to raise it to a new level. I will be contacting the Commissioners and certainly with welcome your involvement as well.

As far as cleaning the elevators, you make a very good point and I don't see why that can't be added in.

The Chair:

If I can follow up on that, I think Mr. Ricciardi and I have been bringing this up for maybe two, three years. Our senior centers and our rec. centers and as Mr. Udin said in one of the meetings, you don't have to go too far to find dirt, just walk out of this door. It's a disgrace. I am glad to see, maybe you need the $100,000 and $40 to fix the restrooms and the elevators are needed, but paint and good elbow grease doesn't cost that much. If you go behind a lot of these offices, it's a disgrace and I urge -- we have a new person in Mr. Costa. It looks like he's on the right track. I want to support him.

What happened in the new Public Works Building which we have to wait for the media to show us dirt that hasn't been cleaned in months, cigarette butts that sat there for weeks. It wasn't something that was dropped yesterday. I just think it needs good elbow grease and I will by this budget, and I am sure with Mr. Ricciardi's support, we will look to see if we can hire our own full or part-time people to be on top of this. There has to be responsibility for these general cleanings. It is a disgrace that we spend all this money, especially the Public Works brand new building. It is like a brand new car, when you have it you keep it shiny. I know it is tougher to keep an old building in great shape, but I don't see the effort so with your support and Mr. Costa's I think there can be a lot of improvement in that area.

So, before budget time I think we should resolve this.

Mr. Cohen:

Mr. President, probably one of the major problem with respect to this building is how the responsibilities are divided. It's the City County building, and therefore, the responsibilities are divided. But for the county to be responsible for half of the floors, and for the city to be responsible, it is just completely inefficient.

One of the things I have been talking to Guy Costa about is to try to have just the city be responsible for the entire building for a few years and then the county be responsible for the entire building. Once you split the responsibility like that, no one takes responsibility. That has to change.

The Chair:

Very easy to pass the buck. As Mr. Ferlo said, there is a lot of people out of work in this city, and region that we can hire and keep a building clean.

Mr. Ricciardi:

Just very briefly, I think Mr. Cohen has done a wonderful job with this committee into looking into this issue. I really want to thank Mr. Cohen and Mr. Costa. And Mr. O'Connor you are absolutely right. We also have to look towards the cleanliness and the maintenance of our senior centers and I am going to continue to follow your lead on this.

I think Mr. Costa has to look at the bidding process because even the vendors and the contractors are just bidding so low, you know $450 a month to clean the Market House in the South Side is just impossible to do. So during the budgetary process, hopefully Mr. Cohen and Mr. O'Connor and myself and other Council members can look into this issue.

The Chair:

This has been very frustrating for all of us and including Mr. Udin. I would like to get to the bottom of it.

Mr. Udin:

Just on this one point. I think the city has been relaxed in the way we have designed those contracts and the way we monitor and supervise the contracts. The City's competitive bidding process calls for the lowest responsible bidder. In order for the bidder to be responsible, the specifications of what the minimum cleaning criteria are have to be spelled out.

I think if the RFP's and the contracts are spelled out more clearly and more specifically as to what will be cleaned, how often, to what extent of cleanliness etceteras, then the contracts will be apples to apples. But to just say we are going to give it to the very lowest bidder encourages companies to come and do the minimum amount of work. We have some responsibility to do; it is not just on the cleaning companies.

The Chair:

We can probably discuss this for hours. But cleaning is in the eye of the beholders. So it is pretty hard to put things in writing without a day-to-day operation and someone watching it and doing corrections.

Mr. Onorato:

Same issue. I am going to give you a specific that I was going to talk that happened yesterday. I was pretty disturbed about it because it wasn't corrected. As you know we passed fees to rent out our big facilities. In Riverview park we have the activities building it is about $200, $250 to rent. I got a call from 100 senior citizens that

had it yesterday. There was no toilet paper in the bathrooms, there were no towels to dry your hands in the bathroom and the heat was turned on in the bathroom. That's what they got for $250.

I called early in the morning or mid afternoon, it wasn't corrected. I am not pointing the finger at any individual but I want to find out why the system broke down. I remember a lot of rhetoric years ago about the taxpayers is the customer and the customer is always right. If that's the case then we are doing a terrible job.

I want an immediate reimbursement to that group. If you are going to pay that kind of money and that's the kind of service we give them, they shouldn't have to pay a penny. So the $200 and some dollars, I will be putting into a bill for my colleagues to reimburse this group because of the unfortunate situation they had to experience yesterday.

The way they resolved the problem, they had to go to another building, the seniors, and they knocked on somebody's door and got some toilet paper for the facility. To the seniors in my district that were there, I apologize. The city obviously was at fault. You did not get what you paid for. We will make sure you are reimbursed, and make sure that doesn't happen again. There is no excuse for what happened yesterday.

The Chair:

If you could follow up, especially on a Saturday or Sunday, whenever they want to use it, who do they call when the person isn't there to open it up, when things are wrong? That's where I don't think there is any accountability.

While you are pursuing it, I hope you can find out -- please find out who is in charge and even if it was an honest mistake, we have to find out who is in charge so it doesn't happen again. That's what I don't see.

Mr. Cohen:

Please include me in those discussions.

The Chair:

As we were speaking, I just got a note from my office. The Mayor has cancelled the meeting Thursday on Plan B. Actually it was almost the same time we were saying it. In his defense he does have a meeting with the governor so we have a legitimate reason for canceling the meeting.

Mr. Cohen:

Do we have a new date on that?

The Chair:

Do I have a motion to approve the minutes?

MR. ONORATO moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. FERLO moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion of Mr. Ferlo, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXII *June 16, 1998* *No. 24*

Municipal Record

ONE-HUNDRED
TWENTY-NINTH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, June 16, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Ms. McDonald	**Mr. O'Connor (Pres't)**

ABSENT:

Mr. Hertzberg

The Chair:

Would we all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two special guests today Ondrejana Zatek, who is 15 years old. She is a student at Oakland Catholic School. She is wearing Lithuanian traditional dress here. She is also here with her sister Danita, she is 12 years old. She attends Prince of Peace School, she is in the eighth grade, and she is wearing Slovak traditional dress.

They are accompanied by their mother, Connie, who works in the Human Relations Commission for the city. Would you please lead us in the pledge?

Ondrejana and Danita Zatek:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you ladies for coming down. We have a gift for you from Councilman Ricciardi and Council.

We have many special guests in the audience today.

PRESENTATIONS

Mr. Onorato:

Thank you, Mr. President. Everyone associated with Friends of the Riverfront, please come forward at this point. I got two notes here of names, I hope I have everyone. Mike Lambert, I see he's here, Rita Shaier, Court Gould and

Frank Bulska. Did I miss somebody? I think that's four names, four people.

Colleagues, this is going to be the first annual Triathlon along the riverfronts. I think the significance of today other than being the first one is that this is what we were hoping would happen with all the money we have been allocating lately to the riverfront, is that there would be more spin off of what we are doing with the parks and the trails. This is a good sign that in addition to just being a nice looking trail that other activities would be coming to the city because of the investments being made.

I am going to read the proclamation and hopefully hear more about the event from the individuals here.

MR. ONORATO AND MR. UDIN PRESENT:

No. 539 WHEREAS, the First Annual Triathlon sponsored by the Friends of the Riverfront will be held on Sunday, June 28th 1998; and

WHEREAS, this event will showcase the benefits of Pittsburgh's riverfronts and take advantage of the City's natural features. The Triathlon substitutes a 5K canoe/kayak race for the traditional swimming event, a 20k bicycle race and 5K run and will offer 400 participants a physical challenge equaled only by the beauty of the course itself; and

WHEREAS, the goals of the Triathlon are threefold: 1) to create an annual citizen-based event which showcases the riverfront, 2) to raise funds for Friends of the Riverfront through registrations and sponsorships, and 3) to build alliances with other community and recreation groups; and

WHEREAS, the Allegheny, Ohio and Monongahela Rivers serve as an inspiration for the organizer's of the Triathlon. The Friends of the Riverfront is a nonprofit organization whose purpose is conservation and enhancement of the rivers and riverfronts. The Friends are working to develop the Three Rivers Heritage Trail, a scenic byway for recreational walkers and cyclists as well as nonmotorized commuters; and

WHEREAS, Mike Lambert, President of the Board of Directors of the Friends of the Riverfront, and race coordinators Court Gould and Chris Davis have worked diligently to bring Pittsburgh its First Annual Triathlon.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates all of the individuals who have worked to bring the First Annual Triathlon to our City.

FURTHER BE IT RESOLVED, that the members of Council wish the Friends of the Riverfront and its volunteers much success on June 28th!

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time I would like to present this to Mike and ask you to say a few words unless you want someone else to be

the spokesperson come on up, Mike.

Mr. Lambert:

I thank you, Dan, and good morning ladies and gentlemen. This is a really great event. I think that if as you go to other cities around the country and you notice the people who are running and jogging and rollerblading on the city trails, you notice that they're very populated and that a lot of people out there are doing that sort of thing. I think the economic possibilities for this as an amenity for the city are enormous. I hope that this Triathlon that we are doing does what we hope it to do which is to showcase the trails.

I think that this is a great time for the development of trails. Certainly the Governor, our Mayor and you members of the City Council have supported the efforts of not only the city and its tremendous work it's doing right now, but also those of us who are volunteering our time and energies to see these trails built and used.

So it's a good time. I think that we need to work together very hard while this opportunity is right here to really complete a trail system that will go up and down both sides of the rivers and have connection trails to other trails in the region. So we can some day really look to the benefits of these trails not only for recreation but also for the economic development of the region.

I think that this morning this is an opportunity to extend an invitation on behalf of the Friends of the Riverfront to anyone to join this effort because we only have a narrow window of opportunity to make these trails and it's now. We need a lot of help and energy and money and effort to make this happen. So I invite this and if you wish to come to see the Triathlon this June 28, please do so and know that it is the first. There will be many others after it and it will probably grow to be a big event and enjoyable for everyone.

I would like to ask one of the co-coordinators of the Triathlon, Court Gould to say a couple of words to you. Thank you.

Mr. Gould:

I would like to give my opportunity to Rita Schaier.

Ms. Schaier:

Thank you. Good morning, everyone. We would like to encourage everybody who is here and also anyone who may be listening and watching to either come out to view, participate or just to encourage people who are going to be in this event on June 28, which is in a few weeks.

Here is a brochure; this is a sample that has been sent around to different locations around the city, mostly in athletic facilities but also other areas. Also too, if people are interested the telephone number is 488-0212 or it is also listed on the web site and that would be at TRFN.CLPGH.ORG/FOTR, which stands for Friends of the Riverfront. You can do a net search on that also. Thank you very much.

Mr. Onorato:

Real quick, Mike if people are listening and just want to watch and be a spectator, any suggestions of where they should go to have the best view of what is going on? I am thinking Washington's Landing, but maybe along Clemente Park. You tell us, where should people be heading?

Mr. Lambert:

The starting line will be on River Avenue, near Washington's Landing, a transition they will run-down River Avenue around the stadium or rather bike and then do a transition on Washington's Landing to canoe/kayak, go out for the run and the finish line will be on Washington's Landing.

So spectators could see the start and finish virtually in Washington's Landing area and then anywhere along River Avenue they can see the bikes and runners pass.

Mr. Onorato:

Great, thank you.

Mr. Cohen:

Folks from the Jewish Health Care Foundation come up, please.

Members of Council and members of the audience, it is my honor to present a proclamation this morning. There is a very big event that is happening starting tomorrow. It is called the National Seniors Summit and Pittsburgh is the appropriate place to have this summit, of course, because of the very large senior population that we have in our city and in our region.

This summit really is a way to bring together over 500 leaders in this area to really discuss both the opportunities and the challenges that confront seniors.

So I would like to read this proclamation.

MR. COHEN PRESENTS:

No. 540 WHEREAS, more than 25 organizations from across the country have joined together to convene the first National Senior Volunteer Summit, "Addressing the Challenge of an Aging Society" on June 17 & 18, 1998 in Pittsburgh, Pennsylvania; and

WHEREAS, the summit is expected to draw more than 500 leaders and representatives from the aging, volunteer, health and social service sectors and faith organizations from across the nation; and

WHEREAS, by assembling leaders from the public and private sectors, the summit is designed to develop action plans that build America's capacity to inspire people to share their talents as well as create and build upon programs that meet community demands; and

WHEREAS, the goals of the National Senior Volunteer Summit include building commitment to volunteerism for and by seniors ensuring the capacity of communities to address the needs of seniors as volunteers and consumers of service; sharing best practices and design model volunteer systems that work; developing an action plan and policy agenda and creating opportunities for future collaboration; and

WHEREAS, the keynote speakers for the summit include: Jeanette Takamura, Assistant Secretary for Aging at the U. S. Department of Health and Human Services; Richard Browdie, Secretary of Aging for the Commonwealth of Pennsylvania, and Monsignor Charles Fahey, professor of Aging Studies at the Third Age Center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Jewish Healthcare Foundation of Pittsburgh, the Forbes Fund, The Robert Wood Johnson Foundation, the United Way of Allegheny County and other funders for sponsoring the National Senior Volunteer Summit.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Cohen:

Just to give you an idea of some of the things that are taking place at the David L. Lawrence Convention Center, I looked through some of the workshops and they include things like tapping community resources, maximizing intergeneration impact, reaching across cultural and ethnic difference, building healthy communities. It's really going to be a terrific event.

The organization that is spearheading that event is the Jewish Health Care Foundation and we are very honored to have with us this morning the President of the Jewish Foundation Karen Finestein and also the Senior Program Officer for the Jewish Foundation Nancy Zionts.

So, Karen, would you accept this on behalf of City Council and say a few words, please?

Ms. Finestein:

That was a beautiful reading, the longest proclamation I have ever heard. I do want to say those of you who know that Philadelphia City somewhere to the east of us had a Youth Summit somewhere about two years ago. I think it is very appropriate that Pittsburgh with our demographics be the site of the first ever Senior Volunteer Summit.

We do have 500 people coming, 400 from out of town representing 35 states. But I hope the outcome for Pittsburgh is very important. It is held here, I hope our network of senior volunteer programs is strengthened as a result of this. The best thing we can say to you, City Council, is with volunteers you get the biggest bang for the least buck. It's a way to get a lot of jobs done as many of you know without great expenditure.

So we are really looking forward to not only the process of the summit but the outcome. I do have to give a lot of credit, Nancy has put an enormous amount of time into this and she may want to say a couple of words.

Ms. Zionts:

The conference is going to kick off tomorrow evening with something that will be very special for this city. At the History Center we have organized a

celebration of seniors and volunteers. We have opened up the evening to many of the senior centers; senior high rises throughout the community. We will have about 900 people at the History Center tomorrow evening including about 500 local seniors and active volunteers from our community.

The purpose of the evening is very simple; we don't often stop and say thank you for the efforts and the work that they put into this community and for what they bring to us in terms of strength and assets. So we invite all of you tomorrow evening to the History Center. I know some of you have already RSVP that you will be there.

We think it is a tremendous opportunity to showcase Pittsburgh as a leader in aging services and also to showcase the assets that we have in our community, which is our natural asset, the only one that seems to be growing in this country which is our senior population. Thanks.

Mr. Cohen:

I just want to thank you very much for all your work on this, Nancy and Karen. Also, just to put a quick plug in for the Jewish Health Care Foundation, they are only seven years old. In a very short period of time they have made a very tremendous contribution to Pittsburgh including a lot of the projects the City Council works on. So I just want to thank you on behalf of City Council.

Mr. Ferlo:

I want the record to reflect a thank you from not only me but also my district. There are many community based health and advocacy projects in my own Council District as well as my colleagues that have received vital financial and moral support from the Jewish Health Care Foundation. I just want to thank the staff and the board. It is a tremendous commitment.

If you look at their annual report you see the types of initiatives that they funded over the last several years. We can be very proud of the contribution that they have been making. I just want to say thank you.

Ms. Finestein:

Thank you. When you see children with their bike helmets on, I have to thank Councilman Ferlo and our partnership.

Mr. Ferlo:

I would like our union representatives from Nabisco to come forward. I know you have another meeting you need to get to. I am going to take you first.

Members of Council, we have Tom Christ here who is the Secretary Treasurer and the big guy himself Myron Rodneay who is the new President of Local 12 Bakery Confectionery and Tobacco Workers Union and AFL-CIO.

I wish I wasn't having to do this proclamation today. I think it will be self-explanatory.

Members of Council, I would like to move the following proclamation.

MR. FERLO AND ALL MEMBERS OF COUNCIL PRESENT:

No. 541 WHEREAS, the East Liberty NABISCO bakery has been operating and producing quality bakery products for over eighty years and currently employs 350 workers who are represented by both the Bakery, Confectionery and Tobacco Workers, Local 12, and the Operating Engineers, Local 95 unions;

WHEREAS, the Nabisco bakery is the last large scale bakery left in our City, and owes its existence to a tremendous grass roots union and community wide consumer campaign in 1983 that convinced Nabisco corporate leaders to keep the plant open after announcing its closing;

WHEREAS, Nabisco is home to a tremendous high quality work force and management staff that proudly produces the famous Ritz Cracker and peanut butter and cheese Ritz Bits in an efficient, competitive and cost effective workplace environment;

WHEREAS, Nabisco Holdings Corporation is a multi-billion company based in Parsippany, New Jersey, and together with its parent owners RJR Nabisco, produces numerous well known consumer products such as Oreo cookies, SnackWell's, Chips Ahoy!, Ritz Crackers, A-1 Steak Sauces, Grey Poupon mustards, Life Savers, Planters nuts and snacks, Fleischmann's and Parkay margarines, among others;

WHEREAS, Nabisco Holdings has announced a major comprehensive restructuring program and a plan to spend more on marketing and outreach to consumers with a purported reduction of some 3,500 jobs and closing of plants representing a 6% reduction which could possibly threaten the continued existence of the East Liberty plant and workforce;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh formally requests that corporate representatives of Nabisco Holdings meet with local union representatives, community leaders, and elected officials as soon as possible to discuss any retrenchment plan that would harm the viability of the Pittsburgh plant and workforce;

BE IT FURTHER RESOLVED that City Council calls on Pittsburgh area consumers and organizations to immediately write consumer letters of support for the Nabisco bakery, its products and its employees by writing Nabisco Biscuit Company, 100 DeForest Avenue, Box 1911, East Hanover, New Jersey 07936-1911, attn: Rick Lenny, President.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. This is an unfortunate proclamation. I would rather be proclamating the fact that we have a great workforce. I think a number of colleagues were here when they were certainly active in the community. There was a time, late '82, '83, '84, when these chambers and Grant Street were packed with several hundred workers and family members from Nabisco. These are well

paying jobs, it is a proud unionized workforce, and it has contributed greatly to the stability of our neighborhoods throughout the city.

When there was a pronouncement of a plant closing more than a decade ago as a result of a tremendous and unified and organized initiative, the Union and the forefront with the community, the religious neighborhood community groups, the religious community and so many other diverse civic organizations banding together in an effective advocacy effort. The company at that time was convinced that it would be advisable to keep the plant open. In fact, it got another lease on life for the last 15 years.

Unfortunately, we are at that crossroads again. But I think economically if not reality wise things have changed. We have a company that is basically moving to consolidate it's consumer products and it wants to do that at the expense of plant closings and a reduction of the workforce. Despite the fact that there have been capital improvements in the East Liberty plant, despite that fact that this workforce in particular can demonstrate financially that they produce a high quality product, cost effectively, even competing with other Nabisco plants around the country, we had the passage of NAFTA. There are so many things going on in the financial world that really facilitate the actions of corporations like RJR and Nabisco holdings.

I would hope that we can take the early offensive. The union is here; they are at the leadership of us now to reach out to the community and let us all know and be aware of the plight. I am hoping, and I have already been in touch with Nabisco, I am sure Mayor Murphy will use his time and talents together with the leadership of the Labor Council and this union to speak out now very clearly and very loudly.

We have one benefit this time, something unlike sneakers which seem to get made in foreign countries for two dollars in sweat shop conditions if not slave like conditions, only to have the product come back here being hyped by famous sports stars and every kid bugging their parents to buy them. That's a difficult product to organize an advocacy effort around in terms of consumer priority.

But cookies and crackers and consumer items are a different story. We can have an effective presence as consumers to make this company aware that as they're weighing the corporate bottom line, that that corporate bottom line better not involve the elimination and closing of yet another major Pittsburgh bakery.

So this is kind of the initial salvo call to action. I want to applaud the local union leadership for their leadership as always. I hope that the weeks and months that will unfold and that we will take the early offensive with a successful outcome and keep the Nabisco East Liberty plant open and working.

I want to invite our two union representatives; I failed to get the operating engineers here this morning. I apologize for that. They are certainly going to be involved also. Myron and Tom are union officers from Local 12. I think many of you remember Sam Papa and Larry Turner who is since deceased, old treasure, very active guy, very

eloquent guy. As well as Bobby Myer, all three of them leading the charge more than a decade ago.

These two gentlemen are also up to the task. At this time, I wanted to ask Myron and Tom to say a few words.

Mr. Rodeay:

Good morning, just to briefly inform you of what has happened, last week Tommy and I were in Chicago at the Biscuit Council. On May 8th I was sent a fax from my office and the fax stated that Nabisco is going through a restructuring program. At that time I gave the fax to our international representative and then he started making phone calls to headquarters. He got on the phone with John Butler, Vice President. At that time John did admit that there is a restructuring and that there will be a plant shutdown. At that time, it is unknown where it's going to be. He didn't elaborate which plant it would be, but there was going to be a shutdown.

Now in Pittsburgh, as you all know, Nabisco is the last major large wholesale bakery we have. Once that is gone, we have none. All baked goods that we have in Pittsburgh will be brought in from out of town except for our local small shops like Cillone's and Mancini's, which still produce in Pittsburgh. We're reaching out to everyone in the city and in the state for support to help keep Nabisco here. Thank you.

Mr. Christ:

Jimmy and Myron have said it all. The bottom line here is we have a chance of losing 300 jobs for people that grew up and live in Pittsburgh. I am asking everyone if they can make a telephone call or send a letter to help us out. Thank you very much.

Mr. Ferlo:

In addition, obviously today we want to try to take the direct route or the consumer approach and direct formal communications to the company representatives. But I know Council in the past and I am sure all of us will support it if we need to charter a bus and load it up with elected officials from Pittsburgh and Allegheny union leaders, others from the community, I am sure you will have it.

I know Council unanimously will approve that kind of an expenditure. If they won't come to us, then maybe we will just have to go on a bus and go up there to Parsippany. I always wanted to visit the town, so we may have to do that. We will stay tuned and we will work together on this. President O'Connor is very concerned and very active and I know he will help us coordinate this initiative.

Mr. Cohen:

I just wanted to throw my support in your direction. It would be a terrible, terrible loss. Nabisco is an institution in Pittsburgh not only does it produce fine products, I happen to live very close to Nabisco and I get the opportunity to smell those products which really is a wonderful thing and you realize how active this plant is.

Also, it produces so many jobs and we have to do everything we can to keep those jobs. I want to thank Councilman Ferlo for bringing this to our attention and

Council President Bob O'Connor I am sure that this Council will support you 100%.

The Chair:

Jim, I would just like to mention I know as Councilman Cohen I only live about a mile and a half away and I know many people, Pittsburgh workers, your workers still walk to work. They have been in that area so long.

Is there an organized task force? If not, we should form one right away with the Mayor's assistance, similar with what we did with LTV. I mean Pennsylvania now we have a lot of grants and programs, I think we can sell ourselves to the company too. So we have to make sure we bring everyone together. Let's organize that as soon as possible.

Mr. Ferlo:

Thank you. We will stay tune and I will ask President O'Connor to help me initiate some of those meetings.

I would like representatives from the Three Rivers Pride Committee to come forward. I think Councilman Cohen and Councilman Udin also wanted to share some thoughts. We already pretty much, near unanimously, there are a few colleagues that didn't sign this formally at least, but we already passed a resolution in recognition of an upcoming event Saturday involving a Gay Pride March here in the City of Pittsburgh.

I wanted to formerly bring some of the folks in today. We have here today John Michael Karlovich, who has been here before on numerous occasions and also served for a brief time on our City Cable Advisory Committee. A gentleman I never met before, Mr. Christopher Jay Kapayto, Bill Howelman who I think is either in the audience taking pictures for Que Magazine, Ted Hoover who is one of the Parade Chair people who could not be here today, he's a celebrated playwright and local theater critic.

I think he has spent a lot of time and effort on the parade. I would like to read the following resolution.

MR. FERLO, MR. COHEN, MR. HERTZBERG, MR. O'CONNOR, MR. RICCIARDI, AND MR. UDIN PRESENT:

No. 542 WHEREAS, all forms of discrimination undermine the fundamental principle of civil rights on which this nation was founded: that all people are equal under the law; and

WHEREAS, during the month of June, "Pride" celebrations are held all across the world in recognition of the "Stonewall Riots," the birth of the modern gay liberation movement over 25 years ago; and

WHEREAS, over the past two decades the rich ethnic, social, and cultural heritage of our City has been further enriched by the lesbian, gay, bisexual, and transgendered community, which has become more visible and active in promoting the rights of sexual minorities; and

WHEREAS, "Out in the 'Burgh" is the theme of the Pittsburgh PrideFest, a festival in celebration of the lesbian, gay, bisexual and transgendered community which will take place on Saturday, June

20, 1998 at Mellon Park in Point Breeze following a parade through Shadyside; and

WHEREAS, numerous cultural, social and commercial activities in the City of Pittsburgh have been scheduled for this week to benefit local organizations and individuals;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, June 20, 1998 as Lesbian, Gay, Bisexual and Transgendered Pride Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I want to present on behalf of our colleagues this formal resolution. I thank all the volunteers who are here today and I think have probably put a lot of time and effort into organizing this Parade. It seems to be growing every year.

I woke up this morning to hear something on the news about our good Senator Lott, Mr. Trent Lott, talking about homosexuality being a disease equivalent to alcoholism. I thought that was quite an advanced position certainly not an enlightened one.

While the proclamation is self explanatory, and clearly understood, what isn't understood is the continued level of discrimination and homophobia in our society. I think we can be proud in the City of Pittsburgh about what we have done in the last few years, half a decade ago we passed an ordinance.

There is a misconception among many that the gay and lesbian community are asking for special privileges or special benefits, or special exceptions, or special legislation. I think what people are basically asking for is equity and equality under the law, especially in housing, employment, and public accommodation. Everyone has their own individual prejudices. That is not going to change, at least in my opinion.

I believe we should not only respect diversity but I have my own belief that we should experience diversity. Because I think through that kind of a process people will better understand what their family is about, what their neighbors are about, and what our society is about.

The Pride March is a very important development in the City of Pittsburgh. I have a clearer understanding that we have more and more within the City of Pittsburgh a clear awareness on the part of our community about levels of discrimination. I think more and more people are not willing to accept that and I applaud that initiative. I applaud this Council for standing up clearly with the letter of the law and it is very important that we support and promote and safeguard the ordinances and any passage of equity right legislation that we have passed in the past.

Councilman Cohen, Mr. Udin may want to make some comments before I bring our guests up here today. But I think all people should participate in this weekend's parade. I will be there myself.

I have participated in both the parade and the Mellon Park experience. I call on other Pittsburghers of good will to also join.

When you hear comments from Senator Lott at the highest levels of government you see the vial discrimination. There is a local tavern out in Somerset County that has been a focus of hate and terrorist activities on the part of some fanatics in that community. This happened to be an older couple, actually a heterosexual couple that opened a restaurant that is frequented both by gays, lesbians, as well as straights. Unfortunately, it has been a scene of a pitched battle. That would not be allowed in the City of Pittsburgh and I think we can be proud of that.

As I go through my communities, my own Council District, I will pick my own neighborhood of Highland Park. More and more you see the rainbow flags out on porches, I like that. I think it is a great part of respecting and appreciating and recognizing the diversity of the City of Pittsburgh.

So, I am here to applaud the leadership of the community, the gay and lesbian community. I think we all need to be a part of it in whatever appropriate way you feel comfortable. But I think it is something that we can truly celebrate and focus in on this Saturday. So, I would like to ask Councilman Cohen and Mr. Udin to share a few thoughts.

Mr. Cohen:

Thank you, Councilman. First of all I would like to congratulate the organizers of the Pride Festival. Every year it gets bigger and bigger. I am proud that it is in the City Council District that I represent. I go every year and the people who actually organize it have a more and more difficult challenge every year because it gets bigger and bigger and that's great.

For those of you who have not attended this festival, I ask that you do so, you come in person and see what this festival is all about. There are hundreds and hundreds of people if not thousands at Mellon Park all afternoon. There are bands playing, there is good food to be eaten and a lot of good conversation. I ask that you come.

What this is all about is it is about tolerance. It is about respecting our differences, it's about saying look we respect each others difference in this community so well, our ethnic differences, our religious differences, our racial differences, and we should respect differences in sexual orientation as well.

I guess what I think about every year when this Pride Festival comes at the end of June, is how important it is that we aspire to respecting our hopes and dreams as opposed to aspiring to our fears and our prejudices. That's what I would ask everybody to do not only at this time of year when the Pride Festival occurs but throughout the year. Let's say that you really don't know how to approach this issue, that it's foreign to you.

Well, I ask those people who are not sure and are people who are tolerant people, to say you know what I am going to give it the benefit of the doubt. I am going to air on the side of my hopes and my tolerance for other people rather than

airing on the side of my prejudices. I guarantee you that if you do that you will recognize that we can be a better society by all working together and respecting each other's differences. That is at least what this festival means to me. I thank all of you for voting for this motion. Thank you.

Mr. Udin:

I want to first thank Councilman Ferlo for drafting the legislation as he does every year and inviting me to have an opportunity to speak. The thoughts that come to mind for me in supporting and congratulating the gay and lesbian community in Pittsburgh in having a parade and celebrating diversity is the thoughts about freedom. Frequently you will hear me at the Council table bring up issues whether it be employment discrimination, contract discrimination, police abuse, they are issues that attempt to fight discrimination and they are a blow for freedom.

In a few weeks we will be celebrating the fourth of July. This nation was founded in a call for freedom. We can't protect our freedom without protecting the freedom of other people. The last few weeks we have seen young people around the country carrying guns to middle school and high school, blowing away students, blowing away teachers, blowing away their parents. Don't think that there is not a connection between the kind of hatred that is passed down to children and the kind of hatred that is practiced by adults in this society that teaches hate and discrimination against certain groups.

Don't think that there is not a connection between those children shooting up their fellow students and three clansmen in Jasper, Texas chaining a black man to a pickup truck and driving that pickup truck through the black community with his body dangling from the truck and being dismembered as they drug him for three miles. That kind of hatred is connected to the hatred that you see among those students and it connects to what President Clinton is trying to get us to talk about in having conversations about race around the country. Conversations about race, bring up conversations about hatred and conversations about discrimination and discrimination against one group will bring discrimination against other groups. So those who love freedom must fight discrimination against all groups.

If you let them come for me tonight they will come for you in the morning. Thank you.

Mr. Ferlo:

I would like to ask Mr. Karlovich and Mr. Kapayto if you want to say a few words.

Mr. Kapayto:

On behalf of Three Rivers Pride Committee I would like to take the opportunity to thank you for being here today and to comment on three declarations in the proclamation that we are pleased to have seen and read.

First, the statement that discrimination undermines the principles of civil rights. We whole-heartedly agree with that. Also, we appreciate that we are being recognized with the many

contributions that we have given to the City of Pittsburgh and surrounding area. We are very excited of the proclamation that Saturday, June 20 is lesbian, gay, bisexual and transgender day or pride day in the City of Pittsburgh.

Needless to say, we agree with all these declarations. The pride this year is looking forward to the largest event in history. This is the 25th Pride event in the City of Pittsburgh, so we are kind of excited about that. We have some excellent entertainment lined up, it is all local talent and we have some new educational speakers or a new format, two nationally known individuals. One is Sue Hide from the National Gay and Lesbian Taskforce. She is the Executive Director of creating change, which will take place here in November. The other person is Evan Wolfson, who is a native of Pittsburgh and a member of the Lamdaeagle defense and education fund.

On a side note, I think Pittsburgh is a good place to be gay, this is why I moved back to Pittsburgh I grew up here. The comments about the Commission on Human Relations, I am thankful that's here I have used it, and it worked for me.

We want to invite all members of Council to our event, their families and their staff. I am going to leave some information with Jim Ferlo regarding our program. I will open up to John Michael Karlovich.

Mr. Karlovich:

Good morning, eight years ago the City of Pittsburgh amended its Human Relations Act to include sexual orientation as a protected category. It was my privilege to serve as Vice Chair of the Pittsburgh Fairness Campaign, the group that worked with Council and the Mayor's Office to get the legislation passed. By passing it, Pittsburgh joined nearly 150 other cities and ten states in this country who have stood up unambiguously for the equality and justice that gay citizens deserve.

Our community, the lesbian, gay bisexual and transgendered people of Pittsburgh have a great deal to celebrate this Saturday. We have a rich heritage behind us and a long shared history. We have built for ourselves a strong, rich and vibrant community. But I can say for myself as a gay man and I think I speak safely for the entire community, one of the most sources of pride for me is knowing that I live in a city that believes firmly in equal justice and legal equality for all of its citizens.

Today's proclamation is an important reaffirmation of that principle and I would like to thank you all very much.

MR. COHEN PRESENTS:

No. 543 WHEREAS, Israel Bonds is the foremost investment organization in this country for the State of Israel; and

WHEREAS, to commemorate the 50th Anniversary of Israel's birth and the centennial of Prime Minister Golda Meir's birth, Pittsburgher Ethel Ruben will be the recipient of the prestigious State of Israel Bonds national award, "Reflections of Golda"; and

WHEREAS, Ethel Ruben was the honoree for the State of Israel

Bonds/Hadassah Tribute, having been named an Israel Bonds "Woman of Valor," and has been the recipient of both the "Citation of Honor" and "Volunteer of the Year" awards by the Pittsburgh District Zionist Organization of America, as well as having been named one of the United Jewish Federation's "57 Who Made a Difference"; and

WHEREAS, Ethel Ruben has been a leader in several Jewish community organizations, such as B'Nai Zion, the Ladies Auxiliary of the Riverview Center, Rodef Shalom Sisterhood and continues to participate in the American Society of Technion, Ladies Hospital Aid Society, and the National Council of Jewish Women; and

WHEREAS, Ethel Ruben is the wife of Sol Ruben, who together were honored by the Zionist Organization of Pittsburgh and State of Israel Bonds for their lifetime achievements; and

WHEREAS, in recognition of her dedication to our community and support for the State of Israel, Ethel Ruben will be honored by Israel Bonds at a dessert reception on June 18, 1998, with Shalom Sherman, a one-man Borscht Belt Variety Show, providing entertainment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Ethel Ruben for her dedicated years of service to our community and to Israel.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTS:

No. 544 WHEREAS, Mr. William Kunz, III has earned the status of Eagle Scout with Boy Scouts of America Troop # 348; and

WHEREAS, a Board of Review was convened on May 5, 1998 to interview William in order to determine if he had truly Billy fulfilled the high level of performance necessary to qualify for advancement to the rank of Eagle Scout; and

WHEREAS, after a thorough examination of his past record of success, his present duties and high level of competence in all areas of his personal and community life, William was accepted into the cadre of Eagle Scouts; and

WHEREAS, William is 18 years old. He has advanced from Tiger Cub Pack to Cub Scout Pack to the Boy Scout Troop 348. His rank advancement was from Tenderfoot, Second Class, First Class, Star Scout, Life Scout, and finally Eagle Scout; and

Many boys attempt to attain the status of Eagle Scout. However, not all young men complete the requirements and receive this award; and

WHEREAS, it takes a tremendous amount of work and commitment to complete the prerequisites to become an Eagle Scout. William earned merit badges in Camping, Communications, First Aid, Lifesaving, Safety, Family Life, Cooking, Fishing, Citizenship in the Community, Citizenship in the Nation, Citizenship in

the World, Emergency Preparedness, Environmental Science, Personal Management, Basketry, Fingerprinting, and Leatherwork; and

WHEREAS, Not every young man who sets out to fulfill this goal actually achieves it.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates William Kunz on his performance and all his hard work on becoming an Eagle Scout.

Also,

No. 545 WHEREAS, the mission of the Community Technical Assistance Center (CTAC), located on the Pittsburgh's North Side is to strengthen the structure of community organizations and the skills of community leaders through education, professional guidance, financial systems, technical support, and extensive consultant network and an information center for community development; and

WHEREAS, neighborhoods through such activities as housing and economic development, campaigns for public safety, and youth programs; and

WHEREAS, CTAC's Core Series of Workshops provides opportunities for community leaders to sharpen the skills required to build and operate effective community-based organizations. The Core Series workshops include, Leadership, Basic Board I, Effective Meetings, Basic board II, Financial Management, Communication Skills, Strategic Planning, Fundraising, and Time Management; and

WHEREAS, the following persons have exhibited dedication to their neighborhoods through volunteer activities, have shown extraordinary commitment to expanding their skills as volunteer leaders and have demonstrated exceptional participation in CTAC's Core Series of Workshops:

Amy Averbeck, Judy Hackel, Renee' Raike, Joey-Linn H. Ulrich (Allentown Civic Association), Robert Harris (Black Men Rising/North Side Common Ministries), Annette Ferrier, Mary Anne Miller (Brookline Block Watch), Lynn Glorieux, Randy Strothman (East Allegheny Community Council), James Hall (Federal American Coalition of Tenants), Alex Bodner (Greater Hazelwood Development, Inc.), Dorothy Hopkins, Joan McLaughlin (Hazelwood Maintenance Task Force), Donna Kaduck, Velma Parker, Edward Sullivan, Rose West (Homewood Brushton Community Collaborative), Carol Ellis, Anna Whalen, Gwen Williams (Homewood Brushton Family Support Center), Harold Blye (Homewood Brushton Revitalization Development Corporation), Lisa A. Pilewski (Lawrenceville Development Corporation), Virginia Worley (Music for Family Learning), Valerie Pearson (North Side Common Ministries), Renita Freeman, (Northview Heights Family Support Center), Joyce Galadyna, Michael Kastelic, Sister Lucille Lukasiewicz, Michael Michalski, Dorothy Sinicki, Walter Sinicki, Sharon Wolkiewicz (Polish Hill Civic Association), Mable Goodwine (Steelworkers Tower), Julia Hart (UPMC Hazelwood), Homer Craig (Weed & Seed, Hazelwood YMCA)

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the commitment and dedication of these neighborhood leaders who recently completed CTAC's Core Series of Workshops and commend them for their exemplary performance to improve the quality of life in their communities; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, June 17, 1998 at "Community Technical Assistance Center Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Now moving to presentation of papers.

MR. FERLO PRESENTED:

No. 546 Ordinance Amending the Pittsburgh Code, Title Ten, Chapter 1007: Boca National Building Code Adoption, Section 1007.02, "Changes specified," by expediting the demolition of buildings previously approved by Council action.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. RICCIARDI PRESENTED:

No. 547 Resolution directing the Mayor and the City Solicitor to file a formal complaint with the state of Pennsylvania Public Utilities Commission (PUC) regarding the compliance of Consolidated Rail with its existing Maintenance and Public Passage Obligations at the 10th and 15th Street Pedestrian Foot Bridges. **(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Public Safety Services.

MR. UDIN PRESENTED:

No. 548 Resolution authorizing the City of Pittsburgh to enter into a professional services contract with the Pennsylvania Economy League, Inc. for the purpose of preparing the 1999-2002 revenue forecast and providing required follow-up for the City of Pittsburgh, total cost not to exceed Thirty Thousand Dollars ($30,000), chargeable to and payable from Implement Competitive Pittsburgh, Fund 1000, Organization 999200, Sub Class 150, Budget Year 1998, Account 526100.

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 549 A communication from Tom Flaherty, City Controller, City of Pittsburgh, submitted a single audit report

of the City of Pittsburgh dated December 31, 1996.

MR. FERLO moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Anything under unfinished business to come in front of Council?

We now move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 550:

Report of the Committee on Finance and Budget for June 10, 1998 transmitting sundry of resolutions.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 402:

Resolution authorizing and directing the Department of Finance of the City of Pittsburgh to establish a memorandum of understanding for excluded tax lien properties, repurchased tax lien properties, additional/subsequent tax lien property sales, establishment of a property reserve and a property reserve trust fund. **(SPONSORED BY MR ONORATO).**

Which was read.

Also,

Bill No. 475:

Resolution providing for the issuance of warrant in favor of Lenzner Coach Lines in the amount of $1,350.00 for rental of buses for the Signal. Air Warning Battalion, 6th Reunion at Sheraton Station Square on August 29, 1997.

Which was read.

Also,

Bill No. 489:

Resolution providing for the issuance of a warrant in favor of Liebert Global Services in the amount of Six Thousand Five Hundred Fifty Dollars ($6,550.00) for the purchase of batteries for the Uninterrupted Power System at the Emergency Operations Center, in the amount of Six Thousand Five Hundred Fifty Dollars ($6,550.00) without previous authority of law, chargeable to and payable from PEMATF, Fund 2454, Subclass 600, Account 525150, Organization 213000, Department of Public Safety.

Which was read.

Also,

Bill No. 499:

Resolution providing for the issuance of a $12,000.00 warrant in favor of Eileen Martinez, 374 Mayville Avenue, Pittsburgh, PA 15226 in settlement of a claim in which claimant's property flooded due to improper grading of street.

Which was read.

Also,

Bill No. 501:

Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act and/or the Joint Jobs Initiative Program Single Point of Contact project, providing for the deposit of funds into a bank account. Total cost shall not exceed $9,700,000.00.

Which was read.

Also,

Bill No. 502:

Resolution providing the authorization to make all legitimate expenditures for agreement or agreements with various agencies for job development and employment services, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier, supplies, related outreach and recruitment costs and administrative expenditures necessary to implement the 1998 Neighborhood Employment Program, Pittsburgh Partnership/Summer Youth Employment Program, and the Pittsburgh Partnership Employment Program. Total cost not to exceed $644,800.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussions on the bills?

Mr. Onorato:

Yes. Mr. President, I want to comment once again on Bill 502, which I commented on last year and last week and I will say it again today regarding the summer youth program. I was out this week and I was very disturbed about just the basic maintenance of our neighborhoods again.

I was up in Spring Hill a few days ago with a constituent on a problem unrelated to the steps, we had to walk over to see where the water lines were going. Lappy Lane steps which is a heavily used pair of steps from Spring Hill down to Spring Garden, half of the steps were totally covered right now with weeds and bushes from the surrounding hill side. It just boggles my mind that we don't take advantage of the summer youth program more than we do.

I think 225 kids citywide is just not adequate. I would love to see the number a 100% but I would take 50%, whatever we could get to continue to push some of the services back to general maintenance of the city. I have over a 100 pair of steps probably just in my district if you count Spring Hill, Troy Hill, Fineview and so on and so on. In addition, all of the main arteries going into my neighborhoods, the walkways, and the cast-iron fencing are either 100% covered or haven't been painted in 50 years. Be it Troy Hill Road, the Troy Hill Termon Avenue approach into Brighton Heights, the railing up in

Spring Hill, three or four of them there. These are projects that have gone unrepaired for years and that are just sitting there.

They are safe projects and would have a major esthetic impact on this city if we would clean it up. The administration responded in a letter they are not going to change the policy. I didn't expect that they would. But I am going to continue to go on record pushing for this type of movement slowly if it takes longer than I would like it, because I think in the long run I can't be the only office getting calls on these maintenance types of problems throughout my district.

I would love to see a summer clean sweep basically with the 1100 kids that are doing something. I don't think there is any problem with that. I would ask the administration to once again reevaluate the entire program and to make sure that we have the proper coordination between the youth workers and the Public Works Division because it is definitely needed.

Mr. Ferlo:

I have been advocating in a similar vane for at least not only through this administration but also through the Caliguiri administration and the Masloff administration. I think one way that we may want to consider dealing with this head on and it involves deliberating at the annual budget process is to basically do an end run around the administration.

I don't think the Murphy Administration at least in my sense is any different than the previous two Mayors that I have worked with. There is a good effort made by the administration, Public Works on their clean sweep campaigns. Unfortunately, it doesn't involve the kind of cleaning of steps and painting of ornamental fencing and ridding up of the district in much the way that Councilman Onorato is talking about. I think what we may want to consider doing because in the past the administration would use the summertime as an opportunity to hire as needed laborers in public works.

These older workers albeit working for a several month period or the workers who could supervise and manage the youth interns that would come from the various community groups and/or our own summer youth employment program. If you don't have that connection, it is hard to get coordination and effectively use or utilize the young people because of federal constraints on what that program is supposed to look like because of supervision, because of liability, because of all kinds of different issues.

So I think if we want to bite the bullet and have a concentrated initiative next year, next summer, I think we may want to look at looking at either City Sources being the conduit or some appropriate conduct that will hire the additional as needed of the laborer supervisory group, so that we can augment it then with some of the folks from the summer youth employment. But I think we need to get more creative because I think whether it is Caliguiri or Masloff or Murphy there is just not this initiative being made because of their view of a tight money situation in the city's operating budget.

I think we should refocus this whole debate come the annual budget time. Just like we upped money on demo

and upped money on vacant lots and increased money on other line items, I think we may want to try to find a way to get to the heart of this issue for next summer.

Mr. Udin:

I certainly concur with the concerns that Councilman Onorato expressed regarding the need for clean up in our neighborhoods. I supported the previous amendments to the budget that Councilman Onorato made in order to effect that neighborhood clean up. I think it's important. I think, however, we make a mistake if we attack the summer youth program and undermine the purposes for the summer youth program rather than to look to ways that the City of Pittsburgh can solve the problem, not the youth.

It is an administration problem, it is a budget problem, it is Council's problem, it's the Mayor's problem, it is the Department of Public Works problem. But if we look at the purposes of the grant that the city received to provide youth with summer employment, the purpose was not to put them to work in the summer because weeds grow in the summer. The purpose was to put them to work in the summer because they're out of school and they want to put them in work situations that can help develop their schoolwork and ultimately help prepare them for careers. That is the purpose.

We cannot exploit young people being available for summer work to help solve the city's Department of Public Works problems. That's a problem that we have to work within the department, within the city. I will be available to the Councilman to help solve that problem.

But let us not sell the youth short by putting all of them to work cleaning up weeds. We have already allocated 25% of all summer youth workers to the Public Works Department. That is sufficient. The rest of the youth should be put to work doing other kinds of work so that they have a broad range of experiences that they can take back to school in the fall and they can take on into their careers. Thank you.

Mr. Ricciardi:

Thank you, Mr. President. I understand and I appreciate the comments from my colleagues. But as we stated during the deliberations I think we have to begin to work smart. What I mean by that is we could cut weeds in the gutters on Saint Thomas Street in the South Side Slopes. We could do it today; we are going to have the same problem next month.

I continue to say that we have to look at, some people might call them, innovative ways to keep weeds down. For example, I just call it thinking smart. Gutters on Saint Thomas Street, Barry Street, and Shelly Street in the South Side Slopes should be properly paved, resurfaced. You resurface the gutters so weeds cannot grow through. City steps for example, I continue to say and it is nothing smart, it is nothing bright, but Public Works doesn't look into it. City steps should be heavily lined with plastic and heavy stones and rocks. It would stop the weeds from growing up, from coming back. Sure it's going to be extra time, it is going to be extra cost, but in the long run you are not going to be going back every week or so. It is just common sense.

My brother Virgil is a very bright

guy; he has a heck of a hillside in back of his home. He did it the right way when it came to his steps, he spent a few extra dollars, he correctly placed plastic on it, he put the stones on that, and he hasn't had weeds in ten years. We have weeds every month.

When is our department of Public Works, other departments, and this administration going to work and think smart? You're going to cut weeds all the time. I understand what Mr. Sala Udin is saying regarding our kids. You can have those children cutting weeds and have the same problem in two weeks. What did the kids come back with at the end of the summer, and what do we have? We have the same problem in September. Mr. Onorato is right, our maintenance and our infrastructure is a true problem here in the City of Pittsburgh. It's going to continue to be a problem.

But let's start to work smart, think smart here in the City of Pittsburgh and do something a little more innovative. I have been saying about the vacant lots, we go back to the vacant lot at 2428 South 18th Street twice a summer every year and they say it is too expensive to lay plastic and stones on there. We do it twice a year. We have done it now for 16 years. I am sure if we had done it the right way the first time, it would be taken care of. I am just lost for words sometimes on this issue.

Mr. Onorato:

I appreciate all my colleagues comments and I think what we have here is an honest and true disagreement of opinion on how the summer youth should be employed. I hear some of my colleagues saying about opening their eyes and broadening their experiences --

The Chair:

Excuse me, Mr. Preston, if you wanted to wait one moment I wanted to address you. Representative Joe Preston is in the audience, and I wanted to welcome you to Council Chambers.

I am sorry to interrupt, Mr. Onorato.

Mr. Onorato:

That's fine. I look forward to the debate during the budget season. I view the summer youth even though it is being paid with federal dollars it is still all of our tax dollars. Regardless if we take Councilman Ricciardi's approach and do a different type of maintenance where we use the plastic and the stones that we are looking at a potential labor force here. Regardless if the labor force is 18, 17 or if it is 30, 40, or 50 years old, it is still a labor force. I think there is a lot that the youth can learn through these types of labor jobs. I don't think that it hinders their experiences and I don't think it hurts them in the future of what they might possibly do as a profession. If anything, I think it is their first job, it is their first experience with responsibility, and it could only help them regardless of what type of work it is.

So therefore, I fall down on the maintenance side and labor side of working.

The Chair:

I believe this has come up probably the last two years, and this is going into

the third year. I think everyone on Council agrees to one thing, we have a problem. Our sanitation of our city, the quality of life is effected whether we have 25%, 50% it doesn't seem to be working.

I just heard a good idea I think from Mr. Ferlo whether it be City Source, someone has to take charge of this problem. I look at this city from the Glenwood Bridge, Bigelow Boulevard, 60 and Bellevue coming into the city, Beck's Run it's shabby and a lot of it is county and state roads.

I believe there is an opportunity for us if we put our heads together maybe to find more resources, more money to hire more youth or part-time summer laborers, college kids, whatever they may be. I don't think we have to address just 25% of city youth, I think we can build on it.

Without further going into this, I believe we need a task force. I will be speaking with you, Mr. Onorato. I think you have been bringing this initiative up. I think three or four of us getting together with the right people, seems like the administration -- this is not on top of their priority, it seems to be on ours because we see it every day. We are in the neighborhoods.

I think working together we can certainly improve if not this year, for the future and get a lot more benefits to clean not only our city but our region. There is a lot to be desired. I am surprised how many if you go under the state roads. I know you have brought this up before when you enter some of the parkway or exit the parkway how dirty it is. If you go underneath coming off the Liberty Bridge, where some people the homeless live, this is a disgrace to see what's under there. This is the main entrance to our city. These things can all be addressed.

On Bigelow Boulevard I have been fighting PennDot for three years to fix up the fences. I find out now that it is the city's responsibility after three years of writing letters, somebody finally got back to me and said we are only in charge of the road, you are in charge of the fences. Those fences are falling down. I think we have a lot of work ahead of us. I would be willing to work with a small group to move this forward. Anything else on the subject?

The bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 551:

Report of the Committee on Public Works and Environmental Services for June 10, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 494:

Resolution accepting the Dedication of various streets in the Crawford Roberts Redevelopment plan. These streets are as follows: Protectory Place, a portion of Center Avenue, a Portion of Wylie Avenue, Robert Street, Miller Street, Foreside Place, Crawford Street and Manilla Street, in the 3rd Ward, 6th Council District, City of Pittsburgh. (Council District 6).

Which was read.

Also,

Bill No. 495:

Resolution vacating a Portion of Tracy St. 27th Ward 1st Council District, City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussions on the bills?

The bills are now ready for final action. All if favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. ONORATO PRESENTED:

Bill No. 552:

Report of the Committee on Planning, Zoning and Land Use for June 10, 1998, transmitting one ordinance and two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 496:

Resolution authorizing the City Controller to transfer $47,000.00 from the Department of City Planning, Salaries Account 1102, Index Code 110205, Account No. 511000, Fund 1000, Org. 111000, Sub 010, Budget Year 1998, to the Department of Public Safety, Salaries Account 511000, Fund 1000, Org. 211000, Sub 010, Budget Year 1998.

Which was read.

Also,

Bill No. 208:

An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 12 and 13, by changing from "M1" Limited Industrial District to "RP" Residential Planned Unit Development District all that certain property bounded by: Sarah St.; Lot 76, Block 29-N in the Allegheny County Lot & Block System; Carey Way; Lots Numbered 198 and 188, Block 29-N in the Aforesaid System; East Carson Street; Lot 159, Block 29-N in the Aforesaid System; Carey Way; Lots Numbered 93 and 95, Block 29-N in the Aforesaid System, 16th Ward. (Council District 3, HEARING HELD MAY 12, 1998).

Which was read.

Also,

Bill No. 209:

Resolution Approving a conditional use exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to a.m. Rodriguez Associates, for authorization to construct a 4-Story Structure with 70 Units of Housing for the Elderly at 2830 East Carson Street with parking to accommodate 40 automobiles, on property zoned "RP" Residential Planned Unit Development District, 16th Ward. (Council District 3, HEARING HELD MAY 12, 1998).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills votes aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 553:

Report of the Committee on Housing, Economic Development and Promotion for June 10, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 474:

Resolution approving execution of a Contract for Disposition of Land for

sale of Parcel 12 Subdistrict 1 East & parcel 5 Subdistrict 2 East by & between URA and Hyperion Telecommunications of PA, Inc. said Parcels located in the 4th Ward, City of Pittsburgh in Redevelopment Area No. 50, Technology Drive, Block 29F lots 29 & 90, Council District No. 6 (construction of office & telecommunications switching facility). (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG).

Which was read.

Also,

Bill No. 500:

Resolution amending Resolution No. 291, effective June 1, 1998, entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; so as to transfer $400.00 from the Department of City Planning (administrative account) to the Finance Department (Sidevard Program). **(SPONSORED BY MR. UDIN)**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Cohen:

Thank you, Mr. President. I just would like to commend those folks at the URA who worked to bring Hyperion Telecommunications of Pennsylvania here to the City of Pittsburgh and to our high technology park. It's a firm that is going to bring a significant number of jobs to our City and to our region. It was just as good find by URA and I am glad we are moving forward on this.

The Chair:

The bills are now ready for final action. All in favor of the passage of the bills votes aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. DIVEN PRESENTED:

Bill No. 554:

Report of the Committee on Public Safety Services for June 10, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 313:

Resolution authorizing the Mayor and Deputy Director of the Department of Public Safety or the Chief of Communications to enter into a Cooperation Agreement or Agreements with Allegheny County for the relocation of the Emergency Operations Center to Lexington Technology Park in North Point Breeze. (HEARING HELD MAY 28, 1998).

Which was read.

Also,

Bill No. 490:

Resolution authorizing an Agreement or Agreements with a consultant or consultants for medical direction disease services for the Bureau of Emergency Medical Services, Department of Public Safety, and providing for the payment of the cost thereof, not to exceed Forty Three Thousand Dollars ($43,000.00), chargeable to and payable from Fund 1000, Subclass 150, Org. No. 211000, Account 526100, Budget Year 1998, Bureau of Emergency Medical Services, Department of Public Safety.

Which was read.

Also,

Bill No. 497:

Resolution authorizing and directing the Administration to establish a Committee to review issues of public safety, parking and infrastructure on the South Side slopes. **(SPONSORED BY MR. RICCIARDI).**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President on Bill 313 this is the relocation, co-location, move whatever you want to call it of the city EOC 911 operation to the Lexington Park. The final resolution that we have before us represents three amendments from the Committee Meeting of last week where we spoke at length about this resolution. Councilwoman McDonald had an amendment which is stipulated here, several colleagues including myself had a clarifying amendment about the continued existence and protection of the city work force and collective bargaining agreement as it relates to the relocation of EOC out to Lexington Park. Notwithstanding that I cannot vote for the final vote that is up today, Bill 313, for a number of different reasons.

First of all, what I do support and I will thank the administration and not only Deputy Mayor Sirabella, Director Kraus, certainly Mr. Rowntree, and I am sure many others who worked on this issue. I do agree and I think it's a smart move to support the co-location of Public Safety Services with the county at the Lexington Park location. This is a great opportunity to utilize a building ideally in the real world. It would have been nice to see that building used for some economic development, but the fact that the administration focused in making it a Public Safety Park with the other county

services, I think that was a step in the right direction.

There is a lot that can be done cooperatively and build on the past relationships that we have had with the county, both emergency management, the fire marshal, different services that have been enumerated by the administration. I think it is a good idea and I do support it. I have never objected to that. The workforce has raised some concerns about transportation and security as it relates to Lexington Park. I would hope that Chief Rowntree can address those concerns and meet with the Union and collective bargaining representatives.

I would think that that is not a deal breaker, that it is just something that needs to be addressed to accommodate the concerns of the employees. But the space is more spacious. It's going to be more modern. It is an upgrade of the facility for the employees. There will be some shared open space that can be utilized during times when you need a joint command for emergency management. So for all those good reasons, I support the move and I think it is a good step in the right direction.

I also think that depending on the numbers which unfortunately I have yet to be able to figure out based on the confusing wording of this Resolution Number 313. It maybe that it is prudent financially to have the county help us bankroll the purchase of new equipment, which they seem to be purchasing. I am sure it was no bid, I am sure it was through a professional services contract, millions of dollars of new computer hardware which circumvents this whole Council process, which I am not happy about.

But, assuming the financial bottom line is that it makes sense to help the county provide debt service for us for the purchase of this new computerated design technology that is fine. I am all for that. But no where really in this final worded resolution, can I understand what we are agreeing to.

I disagree with the final resolution, I will have to respectfully vote no, because it is co-mingling two separate and distinct resolutions. I think it is illegal based on the City Code of Ordinances and the Home Rule Charter. On one hand it is affording to implement a Cooperation Agreement which is still somewhat ambiguous, yet again my final reading this morning and it is co-mingling it with a separate legal resolution which involves the leasing of real property.

If we have learned one thing about the county with our handling of the City County Building, it should be that whatever we do with the County it should be clearly written down to who is going to change the bathroom toilet roll. I mean this resolution is ambiguous, it co-mingles the notion of a Cooperation Agreement, involving shared supervisory services and purchase of multimillion dollars of equipment, in a nine year pay back with the notion of a lease of real property. The Code of Ordinances says that our leasing of real property has to be a very specific resolution before Council separate and distinct from this notion of a Cooperation Agreement.

So I have to respectfully vote no on the final bill. I am pleased that you accepted my amendment to include the Cooperation Agreement, but I think the resolution is legally fought. I do support

the intent of the whole location provided some things are addressed on the part of the employees. But in good faith I cannot agree to vote in final form on Bill 313.

Mr. Udin:

I intend to vote in favor of this bill today and it is a vote I guess to give the benefit of the doubt to the Solicitor who has reviewed the structure of the documents and the administration. But I would add there is considerable doubt. I want the record to show that my vote in support of this is reluctant.

I share all of the concerns that Councilman Ferlo has just identified because of the amendments that we have made assuring and giving further protection to the collective bargaining rights of the workers there, because of that I am able to reluctantly vote for it.

But it's a strangely put together agreement and we may well rule the day where we have approved it, but I will give the administration and the Solicitor the benefit of the doubt.

The Chair:

I second what you just went over and I think the amendments certainly make it easier for us to vote for.

Is any other discussion? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor (Pres't)

(Mr. Ferlo voted no on Bill No. 313)

Bills have received the legally required number of votes and have passed finally.

The Chair:

We will now move to motions and resolutions.

MOTIONS AND RESOLUTIONS

I want to remind Council that we will have a Post Agenda on Thursday, June 18, at 10:00 on the People Soft and financial report.

I do have one question that just came to me before Council. I think there is a lot of exciting things happening in the city and we have a lot of well-known people, but I had a quiz for you to make sure you are awake this morning. I wanted to ask you if you know what well-known Pittsburgh snake charmer will be celebrating her birthday on June 18? Does any of Council or any of our well-informed media have an answer to that?

Those who don't know our well-known snake charmer, I knew you had a lot of charm, Val, but to charm those snakes, you did a heck of a job. We want to wish you a happy birthday.

But on a serious note, it was a big celebration of the 100th Anniversary of our Zoo and if you want to just comment on the festivities.

Ms. McDonald:

You have a way. Thank you very much. Yes I am a lover of animals and being a member on the Zoo Board, but thank you very much for your comments. I received a number of jabs about the photograph and I will probably live with that into eternity.

The zoo celebration was wonderful. It was a marvelous event that was had by all. I would only ask and I will be asking the board is that next year even though this is their 100th Anniversary and we have gone from cages if you received the magazines that went from 1898 all the way up to now. The transformation has taken effect to preserve such an asset to this region, it is just wonderful that so much progress has been made.

But I will be asking that we repeat a celebration because people were there to party the 100th, but I would say overwhelmingly the majority said we have got to do this again. Tickets were a little steep, but understand it was a fundraiser. It was also more or less a kick off for the Aqua Zoo to have a twelve and half million-dollar renovation. Many cities have wonderful aquariums that bring in other tourists. Again, it is more money for this region, more money for the city and again it will be an additional asset to the Zoo complex. So this was a kick off but I would just hope that we would do it again next year. Thank you for acknowledging One Wild Place.

Mr. Onorato:

Mr. President, I want to also say I was present at the event it was a nice event. I think the real question we should ask the Councilwoman was the snake from the Zoo or from one of our uncleaned lots, which goes into the issue that I want to talk about now.

That is, I am going to have a specific request of the Clerk's office. Last year's budget debate and then the pathetic attempt to undo it in early '98 we have put a lot of money into three accounts. I can't express my frustration and how frustrated I am with the lack of maintenance in my district. I am only speaking of my district right now because I go by it every day. I have more lots that are not cleaned. I have more houses that have to be demolished and I have been submitting these to the appropriate authorities and I don't see any improvement. If anything it's going in the wrong direction.

So I am going to ask the Clerk's Department to ask Public Works, Building Inspection, the Chief to respond and give us a list, this is June 16, for the first six months of '98. How many homes have been demolished, compared to the first six months of last year? To City Source how many lots have been cleaned up the first six months of '98 compared to the first six months of '97? Rodent control what have we done in the first six months of '98, compared to the first six months of '97?

I don't know where that extra money is being spent. I don't know what is going on, I don't know what the problem is. I can tell you is I see no significant improvement in the areas that I pass constantly. I have a request in that's over a

month old of two properties on Brighton Road. I think they are privately owned. But to me that is irrelevant, to the residents it is irrelevant. It's so bad those things were cut last year by the city.

You would think that we could have shortened the notice process. I called yesterday for an update; I had my staff call. I am told we have to wait another 30 days because we have to give proper notice. What was my first call for a month and a half ago when I put them on notice to do it? Something is not working here. If that's the way the system is going to work, I am about ready to scrap the funding for all these groups and just do something differently or hire another whole group to do it. It's not getting done.

I can't look at my constituents any more and tell them sure we put more money into the account. That means nothing to them if they don't see anything cut or they don't see the buildings down. I have a building you can see from Ohio River Boulevard, between the Marshall Avenue exit and the Termon Avenue exit that was on fire two years ago. It's a blight that is unbelievable. Why that hasn't been torn down, I cannot imagine. That's why we put the money into the budget to take care of some of these.

This thing has one of those old-fashioned corner sections of the house that goes up and is sort of rounded and it is caved in from the fire. The house is demolished. It is not going to be rebuilt. It just sits there. What do we need to tear that house down? I don't understand it.

These people are all great people and nice people. I am not going to say any names. But if they can't do the job, maybe people ought to go into retirement. You have been here long enough, if you can't think of new ways to do it with the money, then move on with your life. I like you; you had a good ride, goodbye. I need to clean the city up. There are no more excuses. I am not supporting any capital projects until this is done.

I am willing to rethink the hot metal bridge, the six million to bring it back if we have to. This is a disgrace to the city. If we are growing the city, we are growing all right; we are growing all the weeds. That is what we are growing in the city. Somebody better start shaking up the leadership of Public Works or BBI or whatever the department is, the City Source or where ever it is. Because I don't see any improvement whatsoever and the money we allocated it appears to be a sham.

As of June 16, 1998, I would ask that in that letter if the City Clerk that we have a response within two weeks. Then, based on that response when Mr. Hertzberg is back maybe we can have a Post Agenda since he is Chairman of the committee I will wait until he is here. We will have a Post Agenda to address these issues. I am not waiting till budget season any more. Maybe that is why I was frustrated on the previous bill with the youth because I was just looking for ways to do something. It is not being done.

Mr. Ferlo:

I have a different issue, but I would also like that information too -- if it could be broken down by Council District, I think it would be important to see what the breakdown is.

Mr. Onorato:

I want locations.

Mr. Ferlo:

On a separate issue, Mr. President, members of Council, over a month ago I held a luncheon meeting at Dells Restaurant. A number of colleagues attended, over 50 community based development groups representatives and neighborhood organizations as well as merchant and commercial business groups attended. The focus of the meeting was about both the success and the pending parole associated with the Streetface Program in the neighborhood district revitalization funding, the NBER Program. These have been the two sources of money. Part of the working tools that community based commercial development groups as well as merchant organizations have used in the last decade to bring back and revitalize our neighborhood district commercial corridors.

If you go through my Council District, the Butler Street Corridor, Liberty Avenue in Bloomfield, parts of Garfield and I am not alone. Every single Council District has directly benefited either from the Streetface Program, which was a grant program assisting in the facade renovation as well as the NBDR Program around street management of business corridors whether they be CD eligible or non-CD eligible. In fact at that luncheon, I presented a chart. Since 1992 just on the Streetface program alone if you add in both the direct URA investment of three million two coupled with the private investment that generated a four million nine you are talking about over $8 million that has been expended for revitalization of neighborhood business district.

Let's use Dells Restaurant as an example. Anyone who has been through Bloomfield recently, there are hundreds of examples I am just using that as one illustration. You see what the revitalization of that tavern and restaurant did for that corner for their building, for the profitability of that business. The numbers I am quoting are just the direct capital investment for construction and renovation. I am not even adding in what is uncalculatable and I made the point at the luncheon meeting. Whenever we talk about reinvesting in the Pirates and the Steelers, everyone trips over themselves to talk about the multiplying economic benefit associated with having the Pirates here.

These numbers I am quoting are just the direct private and public investment. They don't talk about the increased parking tax we collect. They don't talk about the increased mercantile tax. The increased business privileged taxes that we collect. Whether you go down the corner of Carson Street in everyone of our districts, you can see the quality development that has taken place. But it hasn't really come as a result of a downtown strategy. It has come about as a result of grass roots, commercial private property owners, advocacy groups at the neighborhood district level fighting and building and changing the quality of their neighborhood. It has happened at the bottom up level. That is where it needs to happen.

The problem we have right now is that because of federal changes in the administration changes in both the

Streetface Program we pretty much are going to have an end to this program. That to me is not acceptable. I realize that we need to comply with federal laws as it relates to prevailing rate but we had been slowly building support for the Streetface Program utilizing state department of community affairs dollars. These are lower costs. These are not big construction jobs.

Typically Streetface Program is a ten to twenty-five to thirty thousand dollar initiative. So whatever the problem is, we need to focus in on it. Because at this point, I have like four different Streetfaces ready to go on Butler Street including the Big Star Discount Building, which is at the main intersection of Butler that will not be able to be done if the program collapses under the weight of this bureaucracy.

So I am asking, I have scheduled a Post Agenda Meeting for Thursday, June 25, at 10:00 a.m., here in City Council Chambers specifically focusing in on the success and now the pending crises that is about to unfold with the city Streetface and NBDR Program. I am asking that we look immediately at what the problem is and plan out a direct response short term this year and how we can salvage this program and then think long range with a five year plan on how we can make a similar investment.

I have voted for the Hot and Metal Bridge, which I regret at this point. I have voted for every TIFF, Lazarus, you name it, there are about 20 of them that the Mayor has come to us rightfully so. I applaud the Mayor; he has definitely shown leadership. He has done well, he has got a great staff, Mr. Leeper, Director Birru all the folks that are working. I have supported every strategic initiative because it makes sense from the TIFFS to the Lazarus. I am even a task and supporter of Plan B with certain provisos. I am not willing to do with any of that at the expense of disinvestment at the neighborhood commercial corridor level.

To me the success of Streetface when you bundle it together it is just as big as a ribbon to cut as it would be if we broke around the stadium or reopened Lazarus next year. So I want to focus in on a thinking outside the boxes, as Councilman Udin always says, and refocusing how we salvage this program this year, but how do we think longer range and create a proper public investment strategy with the private dollars at the neighborhood level? Because we made so much progress I think our residents are proud.

We have had people come back and I have always held this view. I think you are going to see suburbanites come back into the urban core over the next decade for lots of different reasons. I think you are going to see disinvestment of both housing and you are going to see disinvestment in commercial enterprises. You have even seen a trend of that in some of these larger businesses out in the suburbs closing. We have every opportunity to recapture that market and build on the success of our neighborhood commercial corridors. So, the meeting is Thursday, the 25th, but I would like to respectfully ask that the meeting be cable cast.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Who are the major players?

Mr. Ferlo:

Obviously the Mayor's Office, administration, Deputy Mayor Cox, Director Birru of the URA staff. I am going to be inviting merchant and community development groups that have been working and know first hand the problems that are associated now with the Streetface initiative. I think it will be helpful. I am going to ask every person who has benefited from this program to come down here that day and have a mini rally if I have to because they know first hand. If you have been in business, and you see the type of investment and the success of the Streetface and what it has meant for your bottom line and how much it has changed both the perception and the profitability of your business at the neighborhood level, this is where the investment needs to be made.

So, I am going to ask those folks to come down here that day also so we can visibly communicate to the administration the importance of saving this program.

The Chair:

Any state delegation?

Mr. Ferlo:

Obviously I would want the state DCA officials here because I just don't think they are reading the regulations correctly.

The Chair:

I believe we really need the state's support.

Mr. Ferlo:

Absolutely.

Mr. Cohen:

I wholly support Councilman Ferlo's efforts and to think that we have got to move forward on this. The meeting that Councilman Ferlo speaks of was a meeting where he organized probably 15 to 20 different neighborhood organizations both the CBO's but also CDC's too, community development corporations. Mulu Birru from the URA was there as were staff members from the URA all to discuss this issue.

What I am disappointed about, and someone correct me if I am wrong, is I don't believe we have heard back from the URA as a result of that meeting. You couldn't get better grass roots mobilization than Councilman Ferlo did that day and to not hear back from the URA on an action plan to try to preserve and protect the Streetface Program really is a disappointment. We need to hear from the URA on this because they have certainly heard from us.

Streetface is as importance as any other program this city has. It literally improves the face of Pittsburgh and everything can't be done in a big bang. It can't always be Nine Mile Run or Lazarus, or ALCOA or the Convention Center. There are positive incremental steps that have been taken. Little steps, little positive steps that taken as a whole are as important as anyone of those major projects. The Streetface allows that to happen. Every single one of our neighborhoods business districts.

I am sure that everyone of us, Dells Restaurant was an example that Councilman Ferlo brought up, but everyone one of us could come up with a dozen examples in their district of how Streetface has really improved the facades in our neighborhood business districts. So, I hope that we get an answer from the URA and come up with a strategy because frankly we can't take no for an answer on this. We can't give up that program.

Mr. Ferlo:

We have had a $50 million investment on Second Avenue. I don't know one person that works there personally. I don't know one person that works as a result of my agreeing to a $50 million investment over the last decade. I can't say that about Streetface. I can name you several hundred people from my Council District that either own or appropriate profits and are supporting families or working class people that work in restaurants and work places and business development initiatives at the neighborhood level. I can name hundreds of people that I know and earn income and a livelihood as a result of the investment that we have made at the small business level at the neighborhood commercial level.

The Chair:

I believe you also have a good point with bringing people back. That is one of the reasons people move into the city those community business and neighborhoods. I also wonder if there is a way to bring more attention. I don't think the general public realizes this kind of thing is available. They all know about Lazarus, and those things, but they don't seem to know -- because of media or whatever the focus is to how important they are.

Mr. Ferlo:

They will know it after this.

Mr. Onorato:

I want to cast a yes vote for the Post Agenda. I have been very active in being informed by Councilman Ferlo. I want to express my full support for funding and also additional funding.

If anyone has any doubt, this is acrossed the city. If you get a chance to go by Perry High School, take a look at Fischer's Pharmacy and the spin off of Streetface of five major mom and pop retail in a community that doesn't qualify for CDBG dollars and doesn't qualify for the other great programs that we do. But yet this is another one of those neighborhoods that are on the fringe of the city that if we don't do something we are going to fall apart.

I can go to Vandeto's down on Madison Avenue; I can list you hundreds of private investments that was triggered by the Streetface Program. If we are going to continue to grow for the big, we got to grow with the small. We either do them both together or we are not doing the big.

Mr. Ricciardi:

Colleagues, regarding the reopening of 30th Street in the South Side of Pittsburgh which would connect the South Side Flats to the hollow neighborhood, all of you have been very supportive and helpful regarding your

votes and I thank you for that. As you know, we are on the final stage now just putting together the few extra dollars. It's been a 30-year challenge to the community and an eight-year personal battle for myself.

Let me say that I am not going to go through another eight years. I am not going to allow the community to go through another 30 years regarding Conrail's closing of two pedestrian footbridges in the South Side community, one on 10th Street and one on 15th Street. That is really the lifeline for the South Side Slopes in terms of convenience, public safety, and also economic development to the South Side Flats.

The footbridges have been closed now for two weeks. It really disconnects the Slopes from the South Side Flats in terms of convenience. It puts together a lot of walking. It's also going to hurt in marketing homes in the South Side Slopes if there is not convenience to the Flats then to Oakland and downtown Pittsburgh.

They have been closed and let me say I have put in legislation today and it is not going to be a 30-year battle. I am just not going to permit it. I am looking forward to your support. It's a pity.

Think about it, go back about 80, 85 years when once again the community did not battle the railroad, they allowed the tracks to be put in. But they said if the tracks go in, how are we going to connect the Slopes and Flats. Conrail said, the same as 30th Street they basically said well we will build and maintain the footbridges. Now they're closing the pedestrian footbridges throughout the nation, not just the South Side.

But I am looking forward to your support in the next few weeks. Let's be proactive and not what they did 30 years ago with the good leaders and the constituents 30 years ago who just played by the rules, played by the book, took their time coming up and it took 30-years. I am looking forward to your support.

Mr. Ferlo:

I think it's indirectly related to what Councilman Ricciardi is speaking about. But for a long time this Council has discussed and I have been frustrated to some extent. We have had a number of disasters as a result of railroad tracks and lines going through the City of Pittsburgh. In fact, I think many people would be surprised if not upset and horrified if they knew exactly what was being transported through the city often times as close to the Convention Center, as close to the several hundred thousand people working in Oakland and downtown as an example.

I am just asking that maybe as part of the initiative that Mr. Ricciardi is talking about. If we look broader at this whole issue of the presence of certain railroad tracks in the City of Pittsburgh, especially those that come through the urban core in and around the downtown neighborhood. And whether or not we could use the fact that there is now a merger or a retrenchment or whatever you want to call it of CSX and Conrail, to really figure out and put together an advocacy initiative lead by the administration and this Council that really would look at the next millenium and look at it in terms of the way the city is laid out. Our rivers, our reinvestment into the riverfronts, and whether or not we can't use this opportunity now to relocate and

get some of this rail traffic out of the City of Pittsburgh itself.

I realize that that is a complicated issue and I realize that there are commercial businesses that still rely to some extent, but it is also true that more and more there is less need for rail traffic actually in the city. I will pick an example; the Wayne Bridge really acts as a Berlin Wall to development between the Strip and the Convention Center in my opinion at least. There is nothing that would preclude us building an appropriate AM Track Station separate and distinct from the commercial usage of that line. There are lines that go through the South Side Corridor.

Look at what Station Square would look like if it had direct linkage to the riverfront there instead of having the rails and the track. It is one thing when you turn the clock back and you see trains stopping at industrial sites or manufacturing sites, I don't think that is the case more and more. They are just basically passing through. Well maybe they need to pass through outside of the City of Pittsburgh.

I think there is a vital development issue here; I think there is a vital safety and health issue here. We have had some horrifying experiences in the last few years you can even argue that we have been lucky to some extent. But I think using Mr. Ricciardi's issue as a microcosm I think maybe we need to do some master planning and discussion with these corporate railroad companies about the future and whether or not some of these lines even need to be located and routed through the City of Pittsburgh.

The Chair:

Any other issues? We have brought up quite a few in the last 45 minutes, quite a few things from trains, lots, Streetface and I think they all are very important to the quality of life in Pittsburgh. But I don't know, are we going to wait until next week or three months to do it again or next year in some cases?

I think, gentlemen, we have a lot of major issues coming in front of us, we have some more TIFF's coming, major TIFF's. I think they are coming to us very late so if we turn them down we kill 200 or 300 jobs. We have no input into the initial part of it. I think what we want to look at, I know we have this small budget summit you might want to call it, Thursday but I think it's time one of the keys we hold whether it be Streetface, lot cleanup, is the budget. Whether we want to do a railroad bridge the Monongahela Crossing Bridge, what we do controls only at budget time?

Other than throwing rocks or making suggestions, or whatever we want to complain about, I don't know that we have a lot of input outside of the budget on where the dollars go. I do like what Mr. Onorato said about let's have -- I think a semi annual report or quarterly report when we can look at how many buildings were torn down last year compared to this year. This is a black and white number that they have to justify.

But where are we going from here? I would like you to think about it, we need to be ready for I think a semi annual budget report to see where we have come this year and where we are going next year so that we are prepared. Somehow we get

in the shuffle of the six-week budget process and we miss a lot of these issues. I think if we are going to make a difference. We all have to be prepared so we aren't here next year saying the same thing. So I am asking and willing to work with all of you. I think we have to change the way we do business to and be better prepared.

Mr. Ferlo:

I think a lot of the discussion today including Councilman Onorato's points, Mr. Ricciardi's points, points that I raised and others, I think they're symptomatic of what I sense as a growing dissatisfaction or disfranchisement with the Mayor in particular and the administration. I would have to characterize our lack of communication and working rapport with the Mayor and the administration at an all time low and I have been here with Mayor Caliguiri and Mayor Masloff.

I am not saying he's wrong and we are right or we are wrong and he is right. I am just saying that if I had to generalize what the working rapport and communication level is right now with the Mayor as elected CEO of the city and what I believe, not just Jim Ferlo, but the majority of this Council, I would have to say that it is at an all time low.

Now, I will step up to the plate and say maybe I have been critical to some extent. I will apologize for any personal or any subjective comments on my part and that either the Mayor and or his administration, but for the better good of the City he has to lighten up a little bit and begin to communicate with this Council.

I am tired of hearing pronouncements through his spokesperson. I do not want to see as we begin to go into the budget deliberations as early as next week when I think he has asked to also speak to Council. If we have an immediate budgetary concern and we have more importantly a major budgetary concern going into the '99 operating budget. We have been partners with the Mayor and the administration on countless numbers of economic development items. But it seems like it is always a one way street.

We talk about lot cleanliness or the public investment that we are making at the neighborhood level when we talk about Streetface. I can name a whole broad range of issues it is like they are going to do their own thing and we are just kind of off by ourselves in chambers talking to ourselves. Even the Plan B, there are so many issues that are being decided behind closed doors and I respect the process.

I think to get a deal on the table there needs to be some private meetings and there needs to be some private negotiations, but even that process. There is no reason why a colleague, especially ones that are on authority boards and Mr. Onorato should be at least more privileged to some of the discussion that is going on than some of us at least. There are a whole bunch of issues that we have yet to even begin to discuss.

I don't understand the wisdom of knocking down a two million dollar River Rescue Center that we built surely even with the construction of a baseball only stadium, that facility could be needed as an emergency water facility or even an entryway.

I am just saying that the communication level at this time is at an all time low. I think it starts with the Mayor at the top. I don't think it just involves Jim Ferlo, I sense that that is the case not only with me as an elected Council member, but almost the majority of this body and that is just not a working situation.

I fear what is going to happen is we are going to get our backs up the respective walls and the corner and we are going to end up probably not acting appropriately when key issues come up that the Mayor needs votes on. I think that is very unfortunate. It is not a way to do business right now and I would hope that somehow we find a way through you, Mr. President, if you can help facilitate some of that discussion. I just hope that we can bring it back around to a better working relationship.

The Chair:

That will be my goal. I will be meeting with the Mayor on Thursday and I think next Thursday we have our scheduled Plan B meeting. Again maybe too much of the emphasis has been on Plan B. I agree with the communications is an all time low and it has been going. It would be easy for me to say I told you so on some of the neighborhood versus downtown issues. I think it is very important, we all have to work together for the city.

What you said, Mr. Ferlo, I don't want to back us into a corner where we are voting no for constructive things that maybe other wise a year ago we would have voted yes. So, let's set a goal to better the communications. Again, I think everybody said it loud and clear today, we are here to protect the neighborhoods too. We have a vested interest in all of our neighborhoods and let's have a balance.

Mr. Ferlo:

I also think to some extent we almost self characterize so many problems that we fail to look at a lot of good things that the Mayor and this administration are working on. I think we can be proud that the Mayor, the administration, Director Birru, our authorities -- If you started listing all the different economic development agendas, I think to the credit of the Mayor in particular, he is a hardworking guy. He has hit the ground running, he is working a lot of quality development.

But I think unfortunately we focus on such a part of the agenda here that is bad communication and not getting cooperation on things that we are concerned about that we almost focus in and miss the characterization of a lot of the progress that we are making. To the credit of the Mayor and the administration. I think that is an unfortunate part of the atmosphere up here on the fifth floor right now also.

The Chair:

Again there are a lot of great things happening in our city. There are things falling down, which is maybe the heavy part of this meeting was emphasized on the things we are lacking and let's pull them back together.

We have a big budget agenda coming up for next year. We have that crisis or issues to face us so we don't want

to go in with blinders on or with chips on our shoulders. The city is too important for any of us to hold back and we want to make sure we do the right thing.

With that, I would like to have approval of the minutes.

MR. RICCIARDI moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. RICCIARDI seconded the motion.

And on the motion of Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

BOB O'CONNOR.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN A. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, June 23, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Ms. McDonald	**Mr. O'Connor (Pres't)**

ABSENT:

Mr. Hertzberg

The Chair:

Mr. Hertzberg is out of town and Mr. Ricciardi is tied up in a meeting, he may try to join us later.

Will you all please stand for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

With us today we have Julian Kerestes. He is in the third grade and he is going to the fourth grade. He is eight years old, from Saint Mary of the Mount School. He is accompanied by his mother and father Debbie and Bob, who is a fire fighter in the West End at Engine Company Number 30. His grandmother Mary is here.

Julian Kerestes:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you Julian and we have a flag of our city and country to present to you. Thank you very much for coming down.

We have some very special guests in the audience.

PRESENTATIONS

Would Amy Morgan, Sandy Solomon and the group from Art for AIDS please come up?

This is a very exciting week in Pittsburgh. We have Art for AIDS Thursday evening. I have been there I think the last three years. It is really an outstanding event. I don't know how

many people do you expect this year?

Ms. Morgan:

1800 to 2,000 people.

The Chair:

1800 to 2,000 people, so if you like good art and good company it's really something to see. I would urge everyone to go down and visit and spent some money and buy some things right? I will read the proclamation and let you tell us all about it.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 555 WHEREAS, on Thursday, June 25, 1998, at the Frick Fine Arts Building on the University of Pittsburgh Campus, *Art for AIDS*, which has raised $1,000,000 for counseling and support to persons with HIV/AIDS, their families, and friends, is celebrating its 10th Anniversary as the premier fundraising event for the Persad Center's HIV/AIDS Services Fund, and,

WHEREAS, artist, designers, decorators and shops around the city of Pittsburgh have donated exquisite pieces of artwork including painting, jewelry, photography, pottery, sculpture, glass, furniture and wearable art to be auctioned, with all of the proceeds going to the Persad Center, and,

WHEREAS, the event was made possible through the generosity of several businesses throughout the City of Pittsburgh, including restaurants and corporations, and is sponsored by Kaufmann's, The Giant Eagle Foundation, and the University of Pittsburgh Medical Center, and,

WHEREAS, the Persad Center has significantly improved the quality of life and availability of services for those persons affected by HIV/AIDS and those persons in need of other medical and emotional services for the past 25 years, with an outstanding, compassionate staff,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Pittsburgh does hereby recognize the Persad Center for its efforts in offering emotional support to AIDS patients and those persons connected to them, and does also commend the businesses, artists, designers, decorators, volunteers, and friends involved in *Art for AIDS*, Pittsburgh's leading art auction,

BE IT FURTHER RESOLVED, that the City Council of the City of Pittsburgh hereby declare Thursday, June 25, 1998 "Art for AIDS DAY" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I will turn it over to Amy. How many years have you been doing this?

Ms. Morgan:

Eight.

The Chair:

Eight years as Co-Chair.

Ms. Morgan:

Thank you for asking those of us who have donated many, many hours to the Persad Center, Art for AIDS auction. This is our tenth annual auction. There is not a whole lot of information that I need to add other than that which is in the proclamation. But one thing I do want to make perfectly clear is that everything that is part of Art for AIDS Thursday night and that was also part of Art for AIDS preview party Monday night has been donated. All of the food, all of the flowers, all of the decorations, underwriting, works of art from both national and local artists, time and effort on the part of volunteers has helped to see that over $1 million has been raised for Persad's AIDS Services over the past 10 years.

This year we are hoping to raise over a quarter of a million dollars. I think it's highly conceivable that if we have close to 2,000 people bidding on the most incredible, original art work that this city has ever seen because, of course, this is our best Art for AIDS year, it is entirely possible.

So if you have the opportunity you can preview Tuesday night, tonight and Wednesday from six to nine at the Frick Fine Arts Building. The event, which costs $50 per ticket, is Thursday evening from six to whenever. There is food, dining, dancing, a wonderful live auction and then a silent auction. And we hope that all of you can attend and help us meet our goal. Thank you.

I am going to introduce Sandra Solomon who is the Co-Chair for the evening then Randy Forrester who is the Executive Director will talk.

Ms. Solomon:

Thank you and for me Art for AIDS really reflects what is best about Pittsburgh. It brings together generous corporate sponsorship with incredible community support. Close to 500 volunteers in all aspects in terms of organizing and implementing bring this sensational event together. We are always voted one of the best events in the Pittsburgh social scene.

So I hope you will all join us Thursday night at six o'clock at the Frick Fine Arts Center to view and bid and buy 200 wonderful pieces of art and sample food from all over the city. This truly is a Pittsburgh experience. Thank you.

Mr. Forrester:

Bob said their wasn't any time limit and I rarely get this microphone so thought I would start out with talking about Plan B and Home Rule and then we will move on; and I am teasing. I want to thank these terrific folk Amy and Sandy and all the volunteers. I want to thank my staff Leslie Kirsch and Kathleen Idukovich who helps support this event and share with you all a little about Persad.

Persad is in its 25th year. We have been around long before AIDS, serving the sexual minority communities. And as a logical outgrowth of that back in 1982 we developed the first distinct AIDS Service Program in the City of Pittsburgh. So we have been about serving folks with HIV disease since the beginning of the pandemic.

Things as you know are somewhat hopeful. Some of the new treatments are causing terrific results in folk. But often what isn't known is that there are lots of folk who don't respond to these new treatments. If you can imagine what it is like to think you're dying and then to get your hopes up and then to have a treatment fail and think your dying again what that does to you emotionally, it's phenomenal. So the support is needed, the work that we do is still needed, it's important work.

I want to thank Council because this Council and this city annually provide some additional support through CDBG Funds to Persad, to all it's services including its AIDS services. So we appreciate not only your proclamation honoring Art for AIDS and we certainly again want to invite you there, but we also appreciate your annual support. Thank you.

The Chair:

Thank you again for coming down. It was mentioned that it is more than just art, you have furniture, works of arts. There are a lot of the newest things out there. I hope everyone can join us.

We have a few to be read into the record.

MS. MCDONALD PRESENTS:

No. 556 WHEREAS, The African American Republican Council will be holding its 3rd Annual William P. Young Scholarship and Recognition Dinner on Friday, June 19, 1998. This dinner will be held at the Holiday Inn Parkway East, 915 Brinton Road, Wilkinsburg, PA; and

WHEREAS, The African American Republican Council works in cooperation with various Republican affiliates and organizations. The Council devotes its energies to advancing the cause of Republican Principles, and to fully integrate African-Americans in this advancement. Members of the Council include professionals, entrepreneurs, employees of government agencies, non-governmental organizations, colleges and universities, private businesses, corporations, political think-tanks and research organizations. African American Republican Council members represent a wide range of disciplines, professional experiences, and expertise; and

WHEREAS, William T. Simmons is one of many honorees being recognized at the June 19th event. Magistrate Simmons is currently Chief City Magistrate in Municipal Court. Prior to his judicial duties, Magistrate Simmons was the Deputy Chief Counsel for the Auditor General. Magistrate Simmons has served on numerous Boards and Commissions, including but not limited to: Leadership Pittsburgh, the Lemington Center, the Addison Terrace Learning Center, and Ecumenical and Urban Ministries. Professionally, Magistrate Simmons is a member of the Homer S. Brown Association, the Pennsylvania Bar Association, the National Bar Association, and the United States District Court for the Western District of Pennsylvania; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Magistrate William T. Simmons on his honorable service to both his immediate community and the City of Pittsburgh.

Also,

No. 557 WHEREAS, The African American Republican Council will be holding its 3rd Annual William P. Young Scholarship and Recognition Dinner on Friday, June 19, 1998. This dinner will be held at the Holiday Inn Parkway East, 915 Brinton Road, Wilkinsburg, PA; and

WHEREAS, The African American Republican Council works in cooperation with various Republican affiliates and organizations. The Council devotes its energies to advancing the cause of Republican Principles, and to fully integrate African-Americans in this advancement. Members of the Council include professionals, entrepreneurs, employees of government agencies, non-governmental organizations, colleges and universities, private businesses, corporations, political think-tanks and research organizations. African American Republican Council members represent a wide range of disciplines, professional experiences, and expertise; and

WHEREAS, Floyd L. Titus is one of many honorees being recognized at the June 19th event. Mr. Titus is the Chief Executive Officer of Atlantic Technology Services. He has 34 years of experience in the computer and telecommunications field. Mr. Titus is a past Commissioner of the Pittsburgh Human Relations Commission. He has also served his country in the Navy during the Vietnam War. In addition, Mr. Titus is also a member of Senator Rick Santorum's Western Pennsylvania Economic Task Force. Mr. Titus has been married to his wife, Judy L. Titus for 28 years. They have three children, and have four grandchildren; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Floyd L. Titus for his dedication and service to his country and City of Pittsburgh.

Also,

No. 558 WHEREAS, The African American Republican Council will be holding its 3rd Annual William P. Young Scholarship and Recognition Dinner on Friday, June 19, 1998. This dinner will be held at the Holiday Inn Parkway East, 915 Brinton Road, Wilkinsburg, PA; and

WHEREAS, The African American Republican Council works in cooperation with various Republican affiliates and organizations. The Council devotes its energies to advancing the cause of Republican Principles, and to fully integrate African-Americans in this advancement. Members of the Council include professionals, entrepreneurs, employees of government agencies, non-governmental organizations, colleges and universities, private businesses, corporations, political think-tanks and research organizations. African American Republican Council members represent a wide range of disciplines, professional experiences, and expertise; and

WHEREAS, Ms. Elsie H. Hillman is one of numerous honorees being recognized at the June 19th event. Ms. Hillman has been instrumental on various Boards and Committees, such as: the Pittsburgh Cancer Institute, Calvary Episcopal Church, the Republican National Committee and the Squirrel Hill Urban Coalition. Moreover, Ms. Hillman is contributory in organizations and

associations, among them, the Hill House Association, the Pittsburgh Foundation, the Urban League of Pittsburgh, and the White House Endowment Fund. Currently, Ms. Hillman is chair of the Republican Future Fund; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Mrs. Elsie H. Hillman for her persistent and active interest in her community and the City of Pittsburgh.

Also,

No. 559 WHEREAS, The African American Republican Council will be holding its 3rd Annual William P. Young Scholarship and Recognition Dinner on Friday, June 19, 1998. This dinner will be held at the Holiday Inn Parkway East, 915 Brinton Road, Wilkinsburg, PA; and

WHEREAS, The African American Republican Council works in cooperation with various Republican affiliates and organizations. The Council devotes its energies to advancing the cause of Republican Principles, and to fully integrate African-Americans in this advancement. Members of the Council include professionals, entrepreneurs, employees of government agencies, non-governmental organizations, colleges and universities, private businesses, corporations, political think-tanks and research organizations. African American Republican Council members represent a wide range of disciplines, professional experiences, and expertise; and

WHEREAS, William E. Strickland, Jr. is one of numerous honorees being recognized at the June 19th event. Mr. Strickland founded Manchester Craftsmen's Guild to help combat the economic and social devastation experienced by residents in the Pittsburgh neighborhood of Manchester. In 1972, Mr. Strickland became the Chief Executive Officer of Bidwell Training Center, Inc., a nationally recognized private, non-profit vocational and educational institution whose primary purpose is to serve economically disadvantaged individuals. Mr. Strickland has received countless awards and honors for his devotion to the arts. In addition to Mr. Strickland's executive leadership in the arts, he is also a certified Airline Transport Pilot having accumulated 2800 flight hours; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends William E. Strickland, Jr. on his ingenuity and leadership in the arts and with economically disadvantaged individuals.

MS. MCDONALD moved to adopt the resolutions.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of papers.

MR. COHEN PRESENTED:

No. 560 Resolution authorizing and directing the City Controller to create a trust fund, to be designated as the Print Shop Trust Fund, for the deposit of monies from City departments for reimbursement

for departmental copier costs and other payments for work performed by the Print Shop; and authorizing the use of monies deposited therein by the Department of General Services to cover Print Shop operational costs and departmental copier costs,, including but not limited to: equipment rentals, copier supplies, paper, repairs, and other miscellaneous expenses.

No. 561 Resolution authorizing the Mayor and the Director of General Services to enter into a cooperation agreement or agreements with the County of Allegheny for the purpose of establishing a joint City/County print shop. Revenues and expenditures related to this cooperation agreement will be due to and payable from the Print Shop Trust Fund, Fund 8810, Organization 121000, Sub Class 600, Budget Year 1998.

Which were read and referred to the Committee on Lands, Buildings and Procurement.

Mr. Diven:

I. did want to recognize the presence of Alex Mericli who is from Beechview. He's currently pursuing his Eagle Scout, and he came down today to attend Council hearings.

The Chair:

Alex, you want to stand up. You're pursuing, he hasn't done it yet?

Mr. Diven:

He is in the process. In fact we had a meeting this morning to discuss his community service project. I am sure he will be successful.

The Chair:

I hope after you are successful you will come down and maybe we can give him a proclamation from Mr. Diven. Congratulations.

MR. FERLO PRESENTED:

No. 562 Resolution Amending Resolution No. 555, effective July 12, 1995, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and/or an Agreement or Agreements, or use of existing Agreements, for Construction and Construction Inspection Services in connection with the Rehabilitation of the Schenley Park over Panther Hollow Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by amending the funding source and eliminating the partial front funding language.

No. 563 Resolution amending Resolution No. 143, effective April 2, 1998, entitled "Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Reconstruction or Rehabilitation of Neighborhood Streets throughout the City; and providing for the payment of the costs thereof," by amending the funding source and by increasing the total project allocation by $25,420.00 from $921,500.00 to $946,920.00.

No. 564 Resolution further amending Resolution No. 838, effective January 1, 1998, as amended, entitled

"Resolution adopting and approving the 1998 Capital Budget and the CDBG Program; and approving the 1998-2003 Capital Improvement Program", by decreasing Neighborhood Street Improvements by $60,000.00 City Funds and $6,750.00 Water and Sewer Funds and by increasing the Schenley Park over Panther Hollow Bridge project by $60,000.00 City Funds.

Which were read and referred to the Committee on Engineering and Construction.

MR. ONORATO PRESENTED:

No. 565 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 2 and 3 by changing from "R3" Multiple-Family Residence and "C1" Neighborhood Retail District to "M2" Light Industrial District certain property fronting on the northerly side of Broadhead Fording Road between Fairywood Street and Wind Gap Avenue being Lot No. 4 in the Broadhead Manor Plan of Lots No. 2, 28th Ward. Council District No. 2.

No. 566 Resolution approving a Conditional Use under Section 993.01(a)A(12) of the Pittsburgh Code, Title Nine, Zoning, article V, Chapter 993 as amended, the Urban Redevelopment of Pittsburgh for authorization to conduct a major grading operation on property identified as Lot No. 4 in the Broadhead Manor Plan of Lots No. 2 located along the northerly side of Broadhead Fording Road between Fairywood Street and Wind Gap Avenue zoned "M2" Limited Industrial District, 28th Ward, Council District No.2.

Which were read and referred to the Committee on Planning, Zoning and Land Use.

Also,

No. 567 Resolution establishing a Committee to recommend improvements to old facilities and construction of new soccer facilities throughout the City. **(SPONSORED BY MR. ONORATO).**

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meetings in which the bills were introduced so the bills will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. RICCIARDI PRESENTED:

No. 568 Resolution authorizing a Cooperation Agreement or Agreements with the urban Redevelopment Authority of Pittsburgh implementing the Redevelopment Proposal dated June 1998 for redevelopment activities in portions of Redevelopment Area No. 24, Broadhead Fording (Council District No. 9). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG).

No. 569 Resolution approving the Redevelopment Proposal dated June 1998 including Modification No. 9 to the Chartiers Valley Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 24, Broadhead Fording, in the 28th Ward of the City of Pittsburgh. (Council District No. 9). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG).

MR. ONORATO moved to

suspend Rule 8 on these bills by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Also,

No. 570 Resolution Amending Resolution No. 543, effective May 7, 1993 entitled "Resolution providing for an Agreement or Agreements with Elder-Ado for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed $9,000.00, so as to increase the amount to $13,020.00. **(SPONSORED BY ALL COUNCIL MEMBERS.)**

No. 571 Resolution providing for an Agreement or Agreements with the Allentown Senior Citizen Center, Inc., for operating assistance, at a cost not to exceed$3,600.00, chargeable to and payable from the 1993 Community Development Block Grant Program; project No. 500000-2610-101100-C1993-G221105-1997. **(SPONSORED BY ALL COUNCIL MEMBERS.)**

No. 572 Resolution amending Resolution No. 228, effective March 19, 1993, as amended by Resolution No. 366, effective April 29, 1993, by Resolution No. 1056, effective August 24, 1993, by Resolution No. 1219, effective November 1, 1993, by Resolution No. 755 effective October 19, 1994, and by Resolution No. 846 effective November 4, 1994 and Resolution No. 937 effective December 7, 1994, by Resolution No. 744 of 1995, by Resolution No. 820 of 1996 and by Resolution No. 500 and No. 665 of, 1997, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program "so as to transfer frunds from a line item in the Department of Parks and Recreation to several projects in City Council. **(SPONSORED BY ALL COUNCIL MEMBERS.)**

No. 573 Resolution Amending Resolution No. 274, effective May 3, 1994, as amended by Resolution No. 811, effective October 25, 1996, and by Resolution No. 490 effective August 11, 1997, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed $848,460.45, chargeable to and payable from the 1994 Community Development Block Grant Program" so as to reprogram funds in various programs in City Council. **(SPONSORED BY ALL COUNCIL MEMBERS.)**

No. 574 Resolution amending Resolution No. 149, effective March 8, 1994, as amended by Resolution No. 277 effective May 3, 1994, by Resolution No. 949 of 1995, by Resolution No. 819, by Resolution No. 958 of 1996,

by Resolution No. 249, No. 501 and No. 666 of 1997 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" transferring funds from a project in City Council to other projects in City Council. **(SPONSORED BY ALL COUNCIL MEMBERS.)**

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 575 Resolution approving a Conditional Use under Section 993.01(a)A(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to the Manchester Youth Development Center for authorization to renovate an existing school building at 1214 Liverpool street with classrooms in 2 temporary trailers on nearby lots for the establishment of a charter school on property zoned "R4" Multiple Family Residence District, 21st Ward, Council District No. 6. **(SPONSORED BY MR. UDIN)**

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR FERLO seconded the motion.

Which motion prevailed.

Also,

No. 576 Ordinance Amending and supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, Section 161.02, Competitive Bidding; Exceptions, by requiring competitive bidding for revenue generating contracts. **(SPONSORED BY MR. UDIN)**

No. 577 Resolution providing for the issuance of a warrant in the sum of $30,000.00 to April A. Slifko, C/O Samuel J. Cordes, Esquire, Ogg, Jones, Cordes & Ignelzi, L.L.P., 245 Fort Pitt Boulevard, Pittsburgh, Pa 15222 on full and final settlement of alleged sexual harassment from male co-workers at Fire Station # 36, Medic Unit 10, chargeable to and payable from Code Account 46, Index Code 004606, Fund 1000, Sub 170, Account 582200, Organization 999200.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. We now move to unfinished business. Any unfinished business to come in front of Council this morning.

Hearing none, we move to a new section of our Legislative Meeting, Committee on Chair Reports. I have asked two reports a month, actually two reports a week on a monthly basis. Each Council member will report on his or her committee to Council for a five-minute briefing. I believe it is very important that we run it more of a business like

atmosphere and we have a closer time with our committees.

So far in government a lot of times we just seem to come a board when there is a tragedy or some emergency. I believe by reporting on a monthly basis it will keep a lot of us more informed on what is going on in his or her department and not only that hopefully it will bring the Chairs a little closer to their departments.

I think we have a lot of hard working employees and directors out there that don't get the recognition that they deserve. I believe by keeping us more informed would be an asset to Council's legislative part. Starting the first two will be Ms. McDonald for Chairwoman of Parks and Recreation would you like to give your report now?

CHAIR REPORTS

Ms. McDonald:

Thank you, Mr. President. There is a lot of information. I would want to thank Faith Gallo the Director of Parks and Recreation, as well as Duane Ashley, Mary Esther Van Shura and Mary Platt-Coles for the information that was given to me.

I will say this to you, Mr. President, that even though it may lengthen the meeting, it really gave me much insight. It's a very quick overview of what is going on in the department that I do chair, without having to go to numerous and numerous meetings. So it is a wonderful way of getting an executive summary and having me stay on top as chairperson. I appreciate that.

Just a quick overview. In terms of accounting, I am going to speed read.

The Chair:

Ms. Gallo just came in to support you. We welcome her to chambers.

Ms. McDonald:

The department is on target with the budget with the onset of its 1998 summer season. But this includes a projected short fall in the Swimming Pool Maintenance Trust Fund due to budget cuts. While we have not received any revenue or expenditure reports from People Soft, we have developed an internal accounting system to track our own spending.

For the first time, the City Parks Magazine, which was an issue at one time, was successfully bid. Due to the competitive bidding process we were able to realize a savings of more than $1100. 66% of the funds for the 1998 Council Grants have been paid or are in the payment process. 42 orders for baseball equipment has been filled for 26 community groups.

Outstanding issues again, are People Soft Accounting System and a possible short fall in the Swimming Pool Maintenance Trust Fund. So it may come back again, the swimming pool issue.

As far as over all goals and accomplishments, there was forged a Cooperative Agreement with the School District with the City of Pittsburgh for a joint usage of recreational facilities. A prototype document is to be available by the end of July.

They have signed a historic ten-year stewardship plan with the Association of Consulting Foresters of America for the care and maintenance of Frick Woods Nature Reserve.

They were awarded $35,000 for Aquatics Planting Assessment Matching Grant from the Keystone Recreation, Park and Conservation Fund and of course the project will assess the mechanical integrity of all 31 outdoor pools and recommend the feasibility of constructing a family aquatic center.

They have successfully produced a Hole In One Contest, the Steel City Shootout, which is a new program for 1998 over the Memorial Day weekend. It generated $10,000 cash in in kind resources for the department.

Another new program for 1998 is an expanded cinema in the parks program and it includes Market Square. It is funded by the Market Square Merchants Association.

Another new program for 1998 in cooperation with the Department of City Planning, successfully opened a new farmers market in East Liberty, I believe it is on Thursday's.

In cooperation with the Department of Public Works and Engineering and Construction they will enter the final phase of development of an official one half mile cycling criteria and course at the former Washington Boulevard Driver Training location.

They are in the final phase of construction of a new sand volleyball court at the Highland Park swimming pool.

Another new program created a team little league program for the Housing Authority of the City of Pittsburgh as part of the big league initiative.

In cooperation with the Mayor's Office, another new program through the Weed and Seed Initiative, engaged in the planning process for 5K footrace through the Hazelwood business and residential community this upcoming fall. I am sure Bob will just lead the charge on that one.

The areas of concern, lastly, as an overview is the challenge of a 120 day pilot program for the off leash exercise areas that was discussed in Council and a challenge to find external funding for major program initiatives such as our community enrichment program and big league.

In Senior Interests you know if you don't hear from the seniors they are probably all right, they have increased information and referral units of service to seniors from 163,000 to 349,000 in 1998. So it has doubled. They have computerized 80% of the Senior Community Centers. Completed an intergenerational program with Capa the High School for Creative and Performing Arts to produce a mural at Mount Washington.

They conducted the first breast cancer seminar for seniors. They will be conducting new programs, offer CPR and first aide training for seniors and this will come at the end of June and implemented a new visiting nurse program.

Areas of concern, ongoing negotiations with the owner of a property in the West End for a new Senior

Community Center. This will make Councilman Hertzberg happy, finally. I am tired of hearing about the West End. We have got to get that going.

They are awaiting final recommendations from the Department of General Services for the cost associated with converting the Joe Natoli Center to a Senior Community Center as a means to save $18,000 a year in rental costs.

They are anticipating preliminary design plans for the Homewood Senior Community Center at the end of the summer.

Lastly, Partner's in Parks, implemented the first year of a six-year strategic plan to focus on neighborhood parks stewardship. The communities selected are CDBG neighborhoods, and for 1998 the focus is the North Side, Lawrenceville, Lincoln Place, Hazelwood, and Sheridan.

They have increased corporate riverfront trail adoptions to include corporate partners such as ALCOA, Donnelly, HJ Heinz, the Lawrenceville Development Corporation, Mercy and Western Psyche and this is all to maintain our riverfront trails.

They have conducted a Junior Bioblitz at the Frick Park and it included Region Square, Belmar School, and something about Biodiversity. Bill collaboration with waste management to provide 75 trees for the parks department to plant along the riverfront and in our parks.

The areas of concern are things that are not new to us the demands on the Public Works Department for maintenance work that does not necessarily pertain to parks. The one thing that is consistent is the request from the community to assist them with their park issues due to limited staff resources. We are unable to assist with every request.

That completes my report. The bottom line is we do have a deficit in our Swimming Pool Trust Fund, and we do have severe budget cuts made to Parks and Recreation, which impacts often times our requests that we want. In other words, there is less resources, less money, less people and they are doing the best that they can but that is my report, Mr. President.

The Chair:

I guess a key question and we didn't have a Post Agenda yet this year. I am presuming all the pools will be open and we have enough lifeguards and staffing? That's a very big -- a lot of progress made there over the last couple years.

A couple of questions I just thought, of the Morningside future fields and playgrounds, is that progressing? I know we had a tour.

Mr. Ferlo:

We have a whole master planning process underway with all the four regional parks including Highland Park. Obviously as part of the Highland Park and Morningside planning I want to include and we have meetings planned relative to Hess Run Field proposals so that is underway.

I do want to comment, I don't know how there can be a deficit in the trust fund for swimming pools, that is a contradiction in terms. The trust fund receives money, we shouldn't even be collecting money for swimming pools, we should let the kids swim in the damn pools and we would have better utilization. I don't see how you can have a deficit in the trust fund, that doesn't make any sense to me.

The Chair:

One thing I want to make clear. Again, you highlighted on the book. There is a whole calendar of events going on in the city and in the whole month of June left. There are two pages for each month.

Can you tell maybe where we can get this book? I know we have been passing it out at most of the senior centers, the Y's.

Ms. McDonald:

They're every where. A lot of the younger people bring them home from schools. That's normally how they end up in parent households, but libraries, there is a number of ways. If all else fails, you can always call the city and I am sure through the Department of Parks that they will let them know exactly all the locations.

The Chair:

Anybody with young children out there has to have one of these. You must get one for your kids and yourself.

Our next report will come from Councilman Onorato with Planning and Zoning and there are a lot of issues to be addressed on the planning end.

Mr. Onorato:

Thank you, Mr. President. I don't have a typed written report today. However, I am prepared to report on what we are doing. I just want to comment on the new procedure we are trying to establish here. I welcome it but I also want to point out my view on how I think the chairmanship should work.

If you read the Home Rule Charter and the way city government is established it is the nine of us. We are each a chairperson of a committee and the committee is made up of the nine of us. It is a body of nine with the chairperson. I have always respected the chairman's position and I think that's critical for the checks and balances of government.

While I work very closely with my Director, she does a very fine job. I draw a line, a very strong line between the administration and Council when it comes to the process. They set agendas; they put together some ideas. But once the ball is handed over to Council it's now our turn. I respect each person's chairmanship to then set the agenda and the timeframe for Council's role in legislation.

I have time and time again have talked to individual Council people that have zoning issues in their particular district, which comes through my committee. I let them, at their request; I ask them how they want me to handle it when it comes to placing it on the agenda. Many times we have held zoning bills for two, three, four weeks at the request of a Councilman that came to my office and I

gave them that courtesy as Chairman. I think that's critical because 99.9% of the time that individual Councilperson works out any of the problems in their particular Council District. I think that's the way it should work.

The only way our chairmanships have any value what so ever, and I want to thank this body. They didn't do it, it is because no one does an end run around the chairman to put something on an agenda when a chairman holds it off because they are holding it off for legitimate reasons. It is usually because of a District Councilperson's request to make sure what's happening. Particularly with zoning changes that all the checks and balances and the due diligence was done in that particular neighborhood.

Stating that, the hottest issue and there is only one issue that is dominating planning. All the other ones are just day-to-day activities and individual zoning issues but it is the Zoning Code. The Zoning Code is the number one priority that I am working on. I am trying to set up the agenda for Council so we can have the proper debate and discussion and move it through the system.

As I said over and over again the administration has done what they were supposed to do. They are now just acting as an advisory role to this body while we debate the issues. Here is where we stand.

I apologize that the numbers are not concrete because everyone's summer schedule is interfering with trying to pick dates and that's just something we have to live with.

Right now we have three possible dates to have a separate meeting on the zoning bill itself. One possibility could be as early as June 30th, which is next week. That is a Tuesday and it could be in the afternoon. Mr. Hertzberg will be back. However, I hear that there might be a conflict with the Director. If there is a conflict, the next possible date would be July 7th, which is also a Tuesday; it would be in the afternoon.

Once again, I don't have everybody's clearance on that. But if that doesn't work, we are going to have to hold the bill until the week of July 13th and do it at that point. But I am committed to moving it a long and we will do it this summer. However, I want the Director and I want Council members present at this meeting.

The Director sent up yesterday the other three sections of the code. If you recall a week ago we had a breakdown of the conversion map just for the commercial districts. I received something in my office this morning, which I didn't review the whole thing but my understanding is it is the residential, the institutional zones. It is the actual conversion map.

If my colleagues did not receive that today and we are finding that out, I will make sure that everyone gets a copy of it in addition to sending a copy of it to the realtors and the business people and also to the neighborhoods' advocate groups. So that all sides and all interested groups can make recommendations for amendments that we will take up at our meeting that we schedule for the Zoning Board.

I met with some of the residents,

the advocates who are pushing for very strong restrictions particularly in nonconforming use. I also met with some of the realtors who were concerned. They all agreed that the conversion table was the piece that was missing. That is making it very doable for them to review the conversion and to actually say what is changing from going from three C districts into one new commercial district.

Obviously there is a change being made there and they can prepare amendments and they will prepare amendments. I gave my word to all interested groups if they prepare amendments and have an issue they want to discuss that I will present the amendment on the floor for this Council to vote it up or down and that every suggestion and interest will be reviewed.

We currently have about 15 amendments that came out of our subcommittee of myself, Councilman Cohen, Councilman Hertzberg, Councilman Ferlo that addressed some of the areas that we could not get consensus on. So, we put them into amendment form. I think it is about 15 and then once again this body will decide each one of those issues.

Five votes will decide what goes in there and we will keep on moving. We will call the question on every amendment. I think it's critical though and what I am going to do as Chairman is to make sure we call the question on all the amendments, any amendments from the floor, from my colleagues, are welcomed. But ultimately call the question on the bill itself after its amendment. I think that we owe that to the taxpayers of the city.

There was a lot of money invested in this, which I can't say I am totally pleased with the amount of money that was spent, however that's behind us. The money was spent and I think the worse thing they can do now is let this thing die without even a discussion.

So the bottom line here it appears that in a three week period we will have discussion on amendments and possibly have the first round of voting on the bill and even the final vote on the bill unless something comes up that five of us just can't live with. But I believe and I am confident now that all of the issues will be addressed from all sides.

But that's the only issue right now that I am going to focus on for probably the next month. All the other issues, if anyone has a concern in your particular district, either through a zoning change or any type of conditional use procedure and you see something on the agenda or you have a question on scheduling because of vacation or just because of concerns if you come to my office, I will be sure to give you the courtesy. I will put it on the appropriate time frame that you are asking for in your particular districts.

The Chair:

Actually that's precisely what the meeting or the report is. It's not the day-to-day operations that we all cooperate so well, I think. Things like the Zoning Code we all have to be updated as you just stated.

I guess summarizing then over the last two years we are down to 15 items that are possible disagreements and at your next meeting whether it be the seventh or

the 13th, they will be addressed to us so that we will be up to date on it.

Mr. Onorato:

Yes, the nine of us either in the form of a continued Committees Meeting or just a Post Agenda where we can review the amendments and then call the vote at the next committee's meeting, but it will be the nine of us to review the amendments. I don't want this to be a Public Hearing. It is now Council's turn to review the amendments. It will be us, the nine of us.

The Chair:

The Public Hearings are finished.

Mr. Onorato:

They are over.

The Chair:

So now we are down to the 15 items. We have to bring them closer together or vote them up or down.

Mr. Onorato:

I have asked anyone that would like to have input to either present it to me or to any of my colleagues through amendment form and we will give them the courtesy of putting it on the table for discussion.

The Chair:

Council's committee is you, Mr. Cohen --

Mr. Onorato:

It was me, Councilman Cohen, Councilman Hertzberg and Mr. Ferlo. That's pretty much been disbanded, we produced the 15 amendments, and now we will take additional amendments from the public or from other colleagues at this point.

The Chair:

So they really have only a month to go.

Mr. Ferlo:

I won't be here next week; I am attending a conference in Government Finance. So, I would respectfully ask that the July 13th date be considered. Not only because of scheduling, but I think we need more time. If we could see the final version of the 15 amendments, because there was yet still additional discussion at the last meeting where I thought we agreed to further amendments especially on this issue of nonconforming bicycles, parks. There are a whole bunch of things, I think, we re-amended based on the round table Standing Committee discussions, so if we could see that.

I am still confused, I don't know that we legally have the final map of the zones in terms of actual legal zoning map. I am wondering when and where and what manner will we also receive that document?

Mr. Onorato:

That is prepared now with the text and with the mapping, both are prepared. We will get them to you.

I just received the final version

today.

The Chair:

Before the next meeting, you have the text and the map will be here before we hold any discussion.

Mr. Onorato:

By the way they did a great job on the conversion table. It is very very easy to follow going from what the old zones map looked like to what the new one looked like and what the differences are.

Mr. Ferlo:

I would ask that we make the whatever the last, latest version is of the Zoning Code including the conversion maps, because most property owners commercial, residential, and/or neighborhood groups business, commercial, whatever, residential, most of them have not actually seen the so-called conversion map. So maybe we can make that available to public libraries or here at the Clerk's Office, Councilman Onorato and all of our offices. But if we could generally get that information out, so we can hear some reaction back to that.

The Chair:

Is that acceptable to you?

Mr. Onorato:

We are already doing it.

Mr. Cohen:

I want to thank Councilman Onorato for staying on top of this. It is a very very complicated and lengthy process that the new Zoning Code as well as the old Zoning Code is the size of a phone book and not easy to get through it all.

One thing I do want to ask though is for Planning to respond, if they haven't already, to the Real Estate Organization's proposals. They did go through, I thought, in an excellent way each and every section of the code. They were one of the few people out there, organizations out there that have read through the entire code. Although I often disagree with the lobby when it comes to issues relating to development in neighborhoods, I thought they did an excellent job and they really do deserve a response. I don't know whether the Planning Department was planning to do that or not, but I think that should happen.

The Chair:

I believe we have all been lobbied on both sides. So if I would ask Mr. Onorato to see if that's done and maybe send us all a note if they are cooperating, I believe they are but I would like to --

Mr. Cohen:

They made I thought specific constructive suggestions, many of which I disagree with, but I think they deserve an answer.

The Chair:

Either way we want to make sure they don't come to the table without the questions answered.

Mr. Onorato:

Planning will be present at the meeting to answer any questions from Council members such as that particular type of question to respond to.

I just want to add the part that I missed. The Zoning Codes we're going to add a resolution attaching to the code that establishes a Review Committee that will review whatever is adopted in the new code for 12 months. If any of the bugs or things are discovered that they just don't work in reality once it has passed that, after a 12 month period we are going to come back with a round of amendments to adjust what didn't work that they thought was a good idea.

So there will be a year review committee so we can hear from attorneys and individuals that actually go and use the code and say hey this might have sounded like a good idea, but it really doesn't work in reality can you change it? We will do that review process after 12 months once it is in place.

Mr. Ricciardi:

I don't have any comments regarding the substance of Mr. Onorato's remarks. However, I would like to address his remarks regarding the process, one that I support. I think if we are going to allow our committees to have real influence in City Hall and to give the Chair credibility. Also to make it more than just as I stated several times in the past, you know we can all stand up and just hand in our bills. We want to make these committees more than just that, I think that is what you are trying to do, Mr. President.

For example a few weeks ago, I had a very important issue in the South Side, which was a zoning change and a conditional use that required time. Required time to review the minutes, to talk to as many people in the South Side as I can. I was very taken back and somewhat disturbed that the administration including the URA, including some of my colleagues on this legislative body, would try to talk to the City Clerks Office and attempt to get the two pieces of legislation on the agenda when I had asked the Chair to hold these particular bills.

I hope Mr. Onorato has a chance to hear this but I really want to thank him because he gave me enough time to fully understand the issue. I think that is very important. The City Clerk, I want to thank her very much, Linda Johnson-Wasler, because even calls from the URA and the administration, she had the good sense to talk to myself, to talk to Mr. Onorato and to make sure when we were prepared to put those bills up for discussion and a vote.

I want to thank our City Clerk for that and I want to thank the Chair, Mr. Onorato, for that. That's very important. That's not considered being an obstructionist or trying to derail a piece of legislation, that's called that someone really needs a lot of thought.

I just wanted to say to all my colleagues will receive that same courtesy because as you know I don't really have a department or a Director at City Hall on my committee. However, the very important issues come from the URA and those sometimes require much thought that if any colleague including myself wishes for more time before discussion can happen that will occur and that will

happen, I will try to hold that bill as long as possible.

Mr. Onorato brings up a very good other point that all of us are members of each particular committee. So there is a safety valve there, colleagues. If Gene Ricciardi says I am not prepared to put this legislation on the agenda, five colleagues can bring up, come into my office and have a discussion and say well we are. So do you have legitimate other points that need to be responded to?

There is always a safety valve where as the Chair can't just obstruct and derail a piece of legislation. I want to thank Mr. Onorato for bringing that up.

A perfect example is when it comes to finance matters. I think Mr. Udin would agree with this. Usually when it comes to all spending and anything that I consider a financial matter in my district or City Hall, I always try to speak to Mr. Udin first because that's just a common courtesy and that's what we really want to make these Chairs more important.

I have used this word in the past and I thought I wasn't going to use this today, but so many times I have spoke to other Presidents and you know many times we could just be like a robot, stand up and just hand in those bills, and that's what we do not want. I think that's what you're trying to do here Mr. O'Connor, make these committees meaningful. I think that is what Mr. Onorato has tried to do is making the Chair meaningful by giving the colleagues more time. Now, with that said, you can tell a bill is going to be coming up that is not going to see the light of the day out of my committee, but we will talk about that later.

The Chair:

One thing that may have been missing and I think in government, is follow up too. So I have the commitment. Now Mr. Onorato next month has to review what was discussed today especially with a major item today like the zoning and if the Planning Department isn't doing their job, or we don't get the maps. All of that stuff is in process. Hopefully we will put a little more urgency on their part especially things like finance, to his credit actually, to Mr. Udin's credit we delayed his report about four or five weeks because of the problems we have had with the budget department. Not his department, not his fault but it took quite a while to iron out all the difficulties we had there.

Moving to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 578:

Report of the Committee on Finance and Budget for June 17, 1998, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 524

Resolution providing for the transfer of funds totaling $243,618.00 from various accounts within the Bureau of Police to the Bureau of Police Premium Pay Account, Budget Year 1997, effective

December 31, 1997. **(PRESENTED BY MR. DIVEN)**

Which was read.

Also,

Bill No. 530

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 19984.

(A) 2122 Forbes Avenue, 4th Ward, Block 11K, Lot 196 being sold to Pasquale & Cynthia Merante, $1,000.00. Two and one half story frame house and store situated on a lot containing 1,200 sq. ft. Intended Use: Demolish structure to expand property. Council District 6.

(B) 3404 Mulberry Way, 6th Ward, Block 48S, Lot 189 being sold to Albert Tester, $3,500.00. Two sty. Brk. Hse. Situated on a lot containing an area of 802 sq. ft. Intended Use: Personal Residence. Council District 7.

(C) 741 & 745 Lime Street, 20th Ward, Block 5-G, Lots 285 & 286, being sold to James & Jody Chester, $500.00. Two vacant lots containing a combined area of 6,199 sq. ft. Intended Use: Investment. Council District 2.

(D) 950 Kirkbride Street, 25th Ward, Block 22G, Lot 72, being sold to John E. James, $2,500.00. Two story masonry brick house situated on a lot containing 2,420 sq. ft. Intended Use: personal Residence. Council District 6.

(E) 1711 Meadville Street, 25th Ward, Block 23C, Lot 81, being sold to Fineview Citizens Council, Inc., $500.00. Vacant lot containing and area of 2,000 sq. ft. Intended Use: Develop new house on site. Council District 1.

(F) 1011 Sheffield Street, 21st Ward, Block 22S, Lot 28, being sold to Jaron Monroe, $4,500.00. Two story brk. Hse. Situated on a lot containing an area of 2,160 sq. ft. Intended Use: Personal Residence, Council District 6.

(G) 1007 N. Franklin Street, 21st Ward, Block 22L, Lot 181, being sold to Pauline Samuels,. Three story brick house situated on a lot containing an area of 1,152 sq. ft $4,500.00. Intended Use: Personal Residence. Council District 6.

(H) 502 Mountain Avenue, 16th Ward, Block 32B, Lot 144, being sold to Lighthouse Full Gospel Church of Pittsburgh. Vacant lot containing an area of 73 square feet, $500.00. Intended Use: Build a church. Council District 3.

Which was read.

Also,

Bill No. 531:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales known as lien excluded properties in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 2635 Ellis Street, 26th Ward, Block 46B, Lot 244, being sold to

Perry Central Neighborhood Council, Inc. Two story frame house situated on a lot containing ,3750 sq. ft., $1,000.00. Intended Use: Renovate., Council District 1.

(B) 2601 Perrysville Avenue, 26th Ward, Block 46B, Lot 119, being sold to Perry Central Neighborhood Council, Inc. 2 story brick apartment and store room situated on a lot containing 2,963 sq. ft., $1,000.00. Council District 1.

(C) 317 37th Street, 6th Ward, Block 49N, Lot 266, being sold to Lawrenceville Development Corporation. 3 story brick house situated on a lot containing 1,237 sq. ft., $1,000.00. Council District 7.

Which was read.

Also,

Bill No. 532:

Resolution providing for the Conveyance of property in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 7214 Race Street, 13th Ward, Block 174E, Lot 126, being sold to Chad E. Washington. Two Story & One half brick veneer house and one story brick garage situated on a lot containing 2,325 sq. ft., $3,000.00. Intended Use: Personal Residence. Council District 9.

(B) 1307 Arch Street & 1306 Veto Street, 22nd Ward, Block 23K, Lots 296 & 297, being sold to Dawn Redman, 2 sty. Fra. Hse. Situated on a lot containing an area of 1,344 sq. ft., $3,000.00.Intended Use: Personal residence. Council District 6.

(C) 1702 Brighton Place, 25th Ward, Block 22H, Lot 202, being sold to Frank Gaines. Two story brick house situated on a lot containing 1,600 sq. ft., $3,600.00. Intended Use: Personal Residence. Council District 6.

(D) 528 Courtland Street, 15th Ward, Block 56-P, Lot 48C, being sold to Gary P. Morgan. Two story frame house situated on a lot containing 1,209 sq. ft., $3,000.00. Intended Use: Investment. Council District 5.

(E) 2274-2276-2278 Bedford Avenue, 5th Ward, Block 10F, Lot 131, being sold to Macedonia Baptist Church. Three-two story frame houses situated on a lot containing 4,712 sq. ft., $4,000.00. Intended Use: Enhance appearance of neighborhood. Purchasers will apply for a building permit upon receipt of title. (Council District 6).

(F) 2249 Bloomer Way, 5th Ward, Block 10F, Lot 139A, being sold to Macedonia Baptist Church. Three-two story frame houses situated on a lot containing 1.300 sq. ft., $3,500.00. Intended Use: Enhance appearance of neighborhood. Purchasers will apply for a building permit upon receipt of title. (Council District 6).

(G) 2247 Bloomer Way, 5th Ward, Block 10F, Lot 140A, being sold to Macedonia Baptist Church. Two story brick house situated on a lot containing 1,470 sq. ft., $3,500.00. Intended Use: Enhance appearance of neighborhood. Purchasers will apply for a building permit upon receipt of title. (Council District 6).

(H) 2253 Bloomer Way, 5th Ward, Block 10F, Lot 304, being sold to Macedonia Baptist Church. Two story brick house situated on a lot containing 1,327 sq. ft., $3,500.00. Intended Use: Enhance appearance of neighborhood. Purchasers will apply for a building permit upon receipt of title. (Council District 6).

(I) 405 Lincoln Avenue, 12th Ward, Block 125B, Lot 217, being sold to Joy F. Payne. 2 ½ story brk. House. Situated on a lot containing 2,480 sq. ft., $4.002.00. Intended Use: Personal Residence & Rental Unit. (Council District 9).

(J) 7402 Idlewild Street, 13th Ward, Block 174K, Lot 50, being sold to Daniel B. Boylen, Two and one half sty. Brk. Hse. And one sty. cem. Dble. Garage situated on a lot containing 2,500 sq. ft., $1,200.00. Intended Use: Personal Residence. (Council Dist. 9).

(K) 508 Richland Street, 13th Ward, Block 174P, Lot 16, being sold Robert E. Vance. Two story brick house situated on a lot containing 747 sq. ft.

(L) 7942 Tocoma Street, 13th Ward, Block 175H, Lot 180, being sold to Jayne King. Two story frame and brick house and addition situated on a lot containing 3,100 sq. ft.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussions on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when their names are called; all opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 579:

Report of the Committee on Public Works, Water and Environmental Services, for June 17, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 525:

Resolution granting unto the Foundry AleWorks, 2816 Smallman Street, Pittsburgh, Pa 15222, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk café on a portion of the sidewalk area at 2816 Smallman Street in the 6th

Ward, 7th Council District. **(SPONSORED BY MR. FERLO).**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President, I would respectfully like to make a motion to amend by substitution, which you have before you. This was prepared by the Public Works Department, is the actual legal language appropriately in the bill with all the specifics. I had introduced the bill which had missing information just to get it on the agenda since it has been several months that these folks wanted to open a street cafe to know avail. Fortunately, that helped to expedite things, now this is the official language and we can then be done with it.

The Chair:

I see the amount is stated at 125, stayed the same.

Mr. Ferlo:

Whatever the existing code is for street cafe's which is 125. If the administration wants to raise the fees they need to submit something to Council and discuss it. But it is wrong to hold for several months. There have been permits down there of small businesses wanting street café's and this is the time to have a street cafe, right? It is warm out; it is nice to drink a beer.

The Chair:

A second on the amendment?

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action, all in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. ONORATO PRESENTED:

Bill No. 580:

Report of the Committee on Planning, Zoning and Land Use for June 17 1998, transmitting two ordinances and one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 10:

An Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article 1, Streets and Sidewalks, Chapter 419, Regulated Activities, to authorize the display of advertising signs on public transit shelters. **(SPONSORED BY MR. FERLO)** (HEARING HELD MAY 14, 1998).

Which was read.

Also,

Bill No. 11:

An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 987, Signs, to regulate the display of advertising signs on public transit shelters. **(SPONSORED BY MR. FERLO).** (HEARING HELD MAY 14, 1998).

Which was read

Also,

Bill No. 492:

Resolution authorizing and directing the Mayor, Director of Public Works and Director of City Planning to issue a competitive Request For Proposal (RFP) from eligible companies for the purpose of instituting a community based transit shelter program at selected sites along the public right-of-way in non-residential corridors throughout the City, at no cost to residents. **(SPONSORED BY MR. FERLO).**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Hearing none bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. COHEN PRESENTED:

Bill No. 581:

Report of the Committee on Lands, Buildings, and Procurement for June 17, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 367:

Resolution authorizing the Mayor, Director of General Services and representatives of the telecommunications working group to define a scope of services and issue a Request for Proposal relative to professional services, expert advice, and related services in connection with the development of a comprehensive telecommunications policy for the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MS. MCDONALD PRESENTED:

Bill No. 582:

Report of the Committee on Parks, Recreation and Youth Policy for June 17, 1998 transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 526:

Resolution providing for an agreement with City Source Associates for providing professional services for the 1998 Community Enrichment Program not to exceed $130,500.00, Chargeable to and payable from the Special Parks Program Trust Fund in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 527:

Resolution providing for a lease(s) and/or license agreement(s) for the use of certain property for senior citizen facilities not to exceed $155,367.00, chargeable to and payable from the Senior Citizens Program Trust Fund in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 528:

Resolution authorizing the Mayor to change the name of the Shaler Parklet

Playground to the Eileen McCoy Playground

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action, all in favor of the passage of the bills vote aye when name are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and are passed finally.

MR. DIVEN PRESENTED:

Bill No. 583:

Report of the Committee on Public Safety Services for June 17, 1998, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 491:

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a fingerprint card filing system for the City-County Integrated Identification Program, Department of Public Safety, and providing for the payment thereof, total cost shall not exceed Seventy Thousand Dollars ($70,000.00) chargeable to and payable from Code Account CCIISP, Fund 2407, Subclass 600, Org. No. 231640, Account 540000, Budget Year 1998, Department of Public Safety.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Cohen:

On this bill I am still not convinced at all that the city is taking the proper approach when it comes to storing of fingerprints. This money is essentially for a large file cabinet for 250,000 fingerprint cards. I understand that that maybe necessary right now, but at the same time I am going to be voting against this bill because I don't feel that we are moving in the right direction in terms of getting these thousands and thousands of fingerprints computerized.

The state has done that with their AFI System. I believe we should be moving towards a computer imaging process for our fingerprints. I think it will

actually be good for Public Safety because it will allow us to communicate and transmit these fingerprints much more quickly than we do now.

I just did not feel comfortable that the administration has even done a thorough analysis of what it needs to do to computerize our fingerprints and to be able to hook in with the state system. So for that reason I am voting no on this bill. Not because I think it is a bad bill, but because I think we are going in the wrong direction and the answers that we got at the Council Meeting last Wednesday in my view were not satisfactory.

Mr. Udin:

I would like to associate with Councilman Cohen's comments. I think that at best there is evidence that the system is just reluctant to move forward to a computerized system. On the one hand, the city participates in the states computerized system but when the city comes to setting up its own it goes back to a paper system.

The reasons I agree with Mr. Cohen were not clear or consistent. I don't really know why it is that the administration is continuing to push for a $70,000 expenditure to continue a paper system. I think the fact that we are continuing a paper system rather than moving towards a computerized system is even more troublesome than the amount that it costs to buy the file cabinet.

I think it is a mistake, it may be that this is the best way to go at this time. But I am certainly not convinced of it and I also will be voting no.

The Chair:

We are sharing the cost. I believe it's $35,000 for the city and $35,000 for the county.

Ms. McDonald:

I am fully prepared to go forward with this as one that has not in depth but has had a course in fingerprinting. I can tell you right now if you get a fax, the fax doesn't have the clarity that the original copy does. Right? Well until you are able to afford an adequate system to truly computerize with the accuracy that is needed to properly identify finger prints, I think that right now we are more or less stuck with just making sure that the hard copies that we have are adequately and properly filed.

I feel that we are moving forward. But the problem is with the technology and what have you. We have to move forward in the right fashion. I believe that if we moved too hastily, capriciously in the direction just because it's technology that means it is good, no not just because it is technology doesn't mean it's good.

When I worked at a bank we had computerized, we had microfilm, we had everything, but we still had hard copies. You're not going to find a bank that doesn't have hard copies of something and legal documents. You have to have hard copies, attorneys have hard copies.

So, I feel we need to move forward with technology I do believe we don't need to be caught with our pants down especially going into criminal court with an inadequate filing system particularly as it has to do with identification.

So I am definitely moving forward with this because of what I do know about the system. I would defer to the Chair of the committee, Councilman Diven in that regard. But I do believe that sometimes if you are not sure, we need to at least trust the administration on this and go ahead. It's not a lot of money but to just say no, we have to have something in place.

Mr. Ferlo:

I share many of the concerns of Councilman Cohen and Councilman Udin expressed. I expressed similar concerns last week and that's why I voted no.

I took the time yesterday to spend about an hour down at the fingerprint location, meeting and talking with the staff. I think all of Council would agree we have a very talented identification officer staff that have years of professional service and have an extremely high degree of skill as it relates to identifying fingerprints and managing the fingerprints that they have collected some 250,000 plus.

There is a very complicated system as the memo from Deputy Director Kraus talks about this so-called Henry System. I guess it would be the equivalent of a (inaudible) decimal system if they were filing books. But in this case, there is a high degree of expertise that actually after the fingerprints are taken there is an elaborate series of codification of the characteristics of the fingerprint.

When I spent some time yesterday with the staff, I changed my position for several different reasons.

First of all, whether or not there is a significant issue about whether or not there is current technology at a higher level than the current AFI System, that would really bring on line the kind of technology at least that I was trying to speak about unknowingly at the last week meeting.

Secondly, there is a practical reality of just an information database that we have that is really a criminal treasurer. That is the sense that we have some 40, 50 years worth of fingerprints in a database. That is over 250,000 cards that regardless of either the present or future technology still needs to be maintained in an orderly fashion and we need to preserve the hard copy.

So just in the practical level of the mechanics of storing these fingerprints and when I went down there yesterday there were two large cabinets that hold these trays. One cabinet is now gone, it has been trashed basically and thrown away. So you have this bare end part of the room, and you have 8-foot tables set up and all these card files set up on eight-foot tables. There is still one large mechanized machine that is still operational although quite frankly it looks likes it is on its last leg.

There seem to be some significant problems with the AFI System itself. There are times when it is down for four, or five hours at a time. If I understand fully having met with the staff, the way the arraignments go in criminal court it is very much needed promptly background checks including the fingerprints when an individual actor is in front of the city court or county court magistrate.

Then not having that hard copy

and/or just the proper identification of that potential criminal really creates a bad situation in terms of whether or not people are held for court, whether or not they are held for court properly. There is many a case when either family members have knowledge of other family members social security numbers, addresses, and there is a lot of games that are played in terms of people trying to get over on the system and get out prior to arraignment during the arraignment process.

But the fact of the matter is that with the hard copy and with the talent that is there in the ID officers, they're actually able to basically not allow an individual to put the wool over people's eyes. So, I think it's important that those issues be considered.

Secondly, there is still another yet contradiction. That is something that I fought for and was criticized for in the past and that is the juvenile fingerprinting which is not currently part of the AFI System nor the Federal System. But we have the benefit in the City of Pittsburgh of at least half a decade of the collection of juvenile fingerprints. The fact of the matter is, often times whether we like it or not those juvenile fingerprints are utilized in other crimes; some of those individuals are older.

So we have a database, which is not currently a part of AFIS nor will it be, it is hard copy but we're talking about significant, potential criminal activity associated with those prints possibly.

So for all those reasons at this juncture I would suggest we go ahead and do the purchasing of this mechanized equipment. But I would like to see this bill amended or a separate resolution or deferred to Councilman Diven as Chair of Public Safety. I think what we need is a report back from either the administration or CIS and whoever can give the cutting edge opinion on this. That is what is the next level of technology even better than AFIS because there still seems to be some major problems associated with the state's Automated Fingerprinting Identification System.

I think we should move on the bill today and I am prepared to vote for it. But I think we should either amend it to ask for this report back in 60 days on what the technology is and how we can look into the future to taking advantage of future technology.

The Chair:

I was just curious, you brought up -- I didn't realize you could fingerprint teenagers.

Mr. Ferlo:

Yes, the law was changed a few years ago.

The Chair:

For crimes only?

Mr. Ferlo:

The laws involving fingerprints and who can see them for juveniles was changed a few years ago. You could always fingerprint; it is just that you can't make certain things available. But the fact of the matter is juveniles at some point get older.

The Chair:

If a juvenile steels a car, it is on file somewhere incase later he/she is in a major crime?

Mr. Ferlo:

Yes. I am saying that there is a great wealth of information that assists in the criminal apprehension of individuals and the proper arraignment of individuals.

The Chair:

Do you know if these would be included in the new process?

Mr. Ferlo:

They would be part and they would be continually maintained under this expensive Rolodex system but they would not be part of the so-called AFI System. I don't think we should lose that information base.

Mr. Cohen:

One, thank you for the second round. I appreciate it. That's exactly the kind of report that we wanted to get from the administration and did not get. That's the reason that I staked out the position that I have. It is not that I am opposed to them getting a storage cabinet, but rather we asked the administration to tell us what is the state of the art when it comes to computer imaging of fingerprints? How can we be assured that the City of Pittsburgh will be at the front edge of the state of the art?

If the Council would be willing to waive the rules and amend this bill to just ask the administration for a report on the technology when it comes to computer imaging of fingerprints, I would certainly be able to support that.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Diven:

I don't want to belabor the point here, I think Councilman Ferlo had touched on a number of the things that I was going to comment on.

Right now regardless of what direction, we need to maintain a back up system to take care of all the filing cards. I would hate to see us run into the same type of situation where if we invested a half million dollars on computerizing fingerprints we had the same result as the People Soft Program. Where in stead of not being able to get financial reports, we will be in a position where we are unable to identify potential criminals who have warrants out on their persons and we have them in custody and we turn them loose.

I think that regardless of if we pursue doing something in the future along the lines of technology, we are going to need to be in a position to maintain a back up system in case things don't work out, as they're titled to work out. I think the purchase of this cabinet will allow us to keep a hard copy just in case something in the future doesn't work to what people claim it will. So I am in support of this legislation.

The Chair:

I was reluctantly supporting it but

December, there is a playground being named in his honor and ribbon cutting is today at five o'clock at the corner of Forsythe and Vine, right behind Miller School in the Crawford School area. So the public is invited to come out and join us in this ribbon cutting.

Secondly, the Mayor will be having his first Public Hearing on the Capital Budget. I believe it is tonight at six o'clock at Schenley High School. I want to urge the public to get fully involved in this budget period this year.

We are going to have a very difficult year balancing the budget next year and the more community input is involved the better. We start with the Capital Budget and then we go to the Operating Budget. But the people who are most effected by our decisions need to be involved in helping to shape them and they begin to get involved by attending these Public Hearings. Thank you.

Mr. Cohen:

One matter I wanted to bring up to Council in Bloomfield, the Bloomfield Business Association decided to place an American Flag on every pool along Liberty Avenue. Hopefully people have seen it, it's beautiful. They also put up Christmas displays, of course, during the holiday season.

When they went to the city to ask for a permit to put up American Flags along Liberty Avenue they were told that they would have to pay a permit fee of $3,280. That is, in my view, outrageous. For a nonprofit group to want to decorate a major thoroughfare with the American Flag. I got that fee waived.

However, I think that it brings up a larger issue and that we do need to look at all the fees that this city charges through the Public Works Department, through Bureau of Building Inspection, and any other department. I think really take a comprehensive look and decide which makes sense, which don't make sense, which are competitive, which are noncompetitive.

Really it goes to the whole issue that Councilman Udin just brought up and that is preparing for the budget for 1999. Because there are fees out there that make no sense. There are also some fees that are frankly too low. We need to make some sense of it and look at every one of these.

So, what I would like to ask is for us as a Council to ask Public Works and frankly every department to submit to us their fee schedule. Every fee that that department charges and how much they charge. So we can at least take a look at it and begin to decipher it for the 1999 budget.

The Chair:

I might want to suggest --

Mr. Ricciardi:

I do want to thank Mr. Cohen for bringing this up because I think he's bringing up a very important matter. We have to keep in mind fees are to recover costs. They are not revenue generating.

For example, in the South Side, on Carson Street around Christmas time putting up the fabulous snowflakes. These permit fees are just outrageous and the community pays them because it is part of

now I feel more confident since Mr. Ferlo made a visit and report. I think it is very important what he did and I know this is a lot cheaper than People Soft and a lot less of an investment than we did before.

Mr. Ferlo:

My fingerprints are in there too; I want to make sure they're accurately recorded.

The Chair:

Any further discussion?

Bills are now ready for final action all in favor of the passage of the bill vote aye when names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor (Pres't)

(Mr. Ricciardi voted no.)

Bill has received the legally required number of votes and has passed finally.

Moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Just a couple of brief housekeeping items. This Thursday at ten a.m. we have a meeting on the Streetface problem. This is a situation where all of Council has been very active and supportive in their respective districts. There are serious concerns now about the future funding, and viability of the Streetface and neighborhood business district revitalization and BDR Program.

That's Thursday at ten a.m. here in Council Chambers. I have invited a number of community groups to come here to talk with the administration about the problem.

Secondly --

The Chair:

Is that televised?

Mr. Ferlo:

Yes we did make a motion to cable cast it.

I hope this is not happening every where, but I just want to use this as an example. I have raised this issue with previous administrations and Mayor's and previous Public Work Directors, but you have a beautiful street, Pacific Avenue that runs from Friendship, it runs longer, but from Friendship to Liberty Avenue, basically where the Bloomfield Post Office is. A beautiful job was done in relining and new asphalt. The street was elegant looking, the houses are beautiful, the foliage, the shrubbery's, the flowers, the curbs, the streets, it was idyllic. It was a beautiful street. It was all finished. A

great asphalt job, one of the best in the city.

Now who comes along a week later to dig up the street, Wright Industries and Equitable Gas Company. Now, it wasn't an emergency job. I am wondering, because every year I have had incidences like this. Every year I talk to Public Works, every year I get promised that they checked the permitting in such a way that they try to deal with scheduling. Now maybe this fell through the cracks, or maybe when I talked to the construction crew maybe their information to me about whether or not it was an emergency was not accurate, I don't know.

But the point is we had a beautiful street, it probably cost $15 to $20,000, to pave this street. I am serious, I think Councilman Cohen will attest to this, the street looked beautiful, before the asphalt job it looked like the Berwin Road. So it was just like everyone on the street probably left their house and just stood in awe at the beauty and splendor of this street. Now they are putting up with dug up streets, construction barriers, dirt, dust, gravel.

You know what happens, once the street is dug up? I will say this at least about Equitable Gas and Wright Industry, they do a better job putting back the street with the proper methods more so than contractors and other plumbers and others who just go into the street and kind of tamp it down and leave a mess. But the point is the street is dug up, there is free stall once you break into the street and it is just terrible.

I will again reiterate my request that somebody in Public Works needs to coordinate and know scheduling, especially when we are doing asphalting of a new street. But I am sure I am talking to the wind; but I will keep talking to the wind. I am going to light a $5 candle this Sunday and hope that somebody finally listens about the scheduling.

The only other thing, tomorrow night on a happier note, there is a master plan meeting for the Highland Park itself. This is a series of meetings that are being initiated by the City Planning Department, the Conservancy Group and many others are involved. It is an exciting opportunity for residents and park enthusiasts and people who utilize Highland Park to be involved in what the park needs to look like next year or 20 years from now.

There are a lot of great ideas that have been put on the table. I do want to include the Hess Run area and I will actually be submitting a legal legislation encumbrancing that land in Highland Park for obvious reasons because the RAD funding. But that meeting is tomorrow night at seven p.m. at the Zoo Education Center.

I am encouraging residents and others who may not even live in Highland Park but love Highland Park to participate and give your ideas. It is a great open process and I want to thank Director Hirsch, Councilman Onorato. His committee has been working on this and it is a great process that is unfolding. I encourage people to please participate.

Mr. Udin:

Two things for those who remember the Third Ward Chairman Albert Turk Graham who died this past

the process and part of the law. But really in effect I don't understand why you would need so many permits; each pole requires a different permit.

For example, on Carson Street, while you are just putting up your decorations. I agree with Mr. Cohen. I would just like to say, Mr. Cohen, that when they provide us the fee schedule, it also should have it broken down as to what cost is this covering? What are we trying to recover in terms of the cost? In terms of the clerk who takes the paperwork, in terms of the receptionist, the typist, maybe the inspector, let's break that down and then we will find out if they are truly recovering costs or we are just trying to make some extra dollars.

Mr. Cohen:

I consider that a very appropriate amendment. That is a very good point because it should be covering costs and I should make it very clear, I know it is clear to this Council, but to anybody who is listening, the city did not put these flags up. All they did was provide a permit so that the Bloomfield Business Association could put the flags up.

The Chair:

Is it one permit or one permit per pole?

Mr. Cohen:

One permit per pole.

The Chair:

So it is probably $500 a pole. On this I think we have a lot of talented people in our different staffs, why don't you try to get a small group together and work with them and see what makes sense and what doesn't. Cost recovery is one thing like when you want to use one of the facilities, the senior facilities, if it is a hundred dollars to hire a person to clean it. That maybe a reasonable fee, but something like this doesn't seem -- un-American.

In fact, if you really want to be American, I know Brentwood gets a lot of criticism but if you go through Brentwood at the Fourth of July weekend, that is the most decorated borough I have seen any where around here. I know they get a lot of criticism. I doubt if they pay fees.

Mr. Ricciardi:

I will be very brief just to follow up on Mr. Ferlo's issue, I don't think we should let that just die, regarding for example there was milling on Holtz Street and Barry Street in the South Side Slopes, Mr. Ferlo, and then we were going to resurface it obviously. Fortunately, I sit on the PWSA Board. I knew there was going to be some work in the area and now they are doing that work before it was resurfaced. But, only because I sit on that board. We would have had the same circumstance, resurfacing of Holtz Street and Barry Street and then ripping up the entire, at least 20 to 30 yards.

Also, we have to ask Public Works is are they checking their schedules, but also afterwards they are supposed to be checking their work. If you recall, under Mr. Ferlo's leadership, we were very concerned about this patchwork. At that time when I was chairing Public Works, we had passed certain requirements and

recommendations. For example, now Mr. Ferlo when that Columbia Gas or Equitable Gas there can't be a patchwork there. It is supposed to go from curb to curb.

Mr. Ferlo:

It has never been enforced.

Mr. Ricciardi:

Yes, it has never been enforced, but I think it is an important issue. It needs to be enforced, because if you go from curb to curb and then and obviously not just for esthetic reasons but now you are dealing with a more structured street.

So Public Works needs to do two things, not only check their permits, but why are they not following their own requirements? We should not see patches in the City of Pittsburgh. Work should go from curb to curb. Matter of fact, PWSA goes from curb to curb. When the Pittsburgh Water and Sewer Authority digs up, very few times you will see a patch from their work. You will see a nice strip of work. So we really need two things to check into.

Maybe Linda Johnson-Wasler our City Clerk, when Mr. Hertzberg gets back he can report to us on these two conditions.

The Chair:

It is a crime whether it be a new street or a street that was done two or three years ago and have all of these patches going up the street, so I certainly agree with you.

Mr. Onorato:

Mr. President, I was prepared today to talk about soccer fields and hopefully the increase in playground activity for soccer. But I am in no mood to talk about it after reading the paper today about Raymond Michelotti, which I went to send my sympathies out to his family. I want to make a few comments today.

I had a pit in my stomach when I read this story. I am sure everybody here knows of what happened in Brighton Heights. I want to make it clear that it appears from everybody I talked to today and I want to thank the Mayor of Bellevue who called me first thing in the morning, the police chief of Bellevue called me and I know these individuals actually. It wasn't just a professional call, they called as a professional but also as a friend to basically give me what happened.

It appears that the police -- it is not even about a police chase, that was called off well before where the accident happened. My concern here is that the individual that was caught, that was driving the vehicle obviously had a long rap street. He was actually arrested for a previous chase. Someone in this judiciary has got to wake up and realize that we can't allow people that have a record that do this over and over again to just get off with probation.

If you read the articles today, there were three or four incidents where this individual was punished to probation, probation for some serious crimes.

I am going to sit down with the new DA; he seems to be pretty progressive

in tightening up some of the loop holes. But I can't help to look at this incident and knowing the geographical area of Brighton Heights and the surrounding suburban areas. On one hand three years ago this Council sits here and we get told by the law department and the judiciary that you are no longer even allowed to implement a road block if you need one because the actor who is responsible for the killing might get hurt. This would have been a perfect situation where they could have blocked off the road, possibly they had time.

But, the whole world is turned upside on its head when it comes to policing. It is frustrating and I feel sorry for our officers out there. We are taking away tools left and right for them to do their job and we are leaving every one of our citizens vulnerable.

I am going to be talking with the residents of the street and what is disturbing is this is obviously my district, but it is also very close to where I live. I know at least five families on this particular street. I have been very active over the years as Councilman with stop signs on this street plus the surrounding streets because the traffic has been a nightmare over there. I will be talking with the residents over there to see if there is anything we can do to help this poor family.

Obviously, nothing will bring their boy back. We will see what can possibly be made in the future. What we can do to keep the streets even safer, but I would hope that we do not use this example as a reason to debate the police chasing rule because it appears it had nothing to do with it towards the end of this because they pulled off.

The suburban police officers pulled off the chase well in advance of where this accident happened. Even some of the eye witnesses said there were no police cars in sight of where this happened. That is because they pulled off and eventually called the city police.

But I am meeting with several of the detectives today that are investigating this. I will keep Council abreast of what is happening. But the bottom line is I am not going to sit back quietly any more and pretend that the judiciary, which is the third branch of government at every level are a sacred cow. If they are not going to enforce the law after somebody is found guilty this isn't an allegation, this is after they are found guilty.

I mean probation is not acceptable in certain situations. This individual should have been off the street and this should not have happened again. So, I will keep Council informed. There is not much any of us can say at this point. This is a tragedy that could happen to anyone of us. I walk these streets with my kids every day to go to all these new playgrounds. This Marmaduke Park is three blocks away; Netton Avenue Park is a couple of blocks away. This is heavily traveled by kids.

These are quiet neighborhood streets and this is an action that should not have happened. I would hope that we take and continue to take some of these characters seriously and not just slap them on the wrist anymore. People better wise up out there in the judiciary system. While you might be thinking you are doing something good and giving this

actor a second chance, some of them don't deserve a second chance. Not when they are going to continually, repeatedly do this.

This individual had that record of running from police in police chases with guns and drugs. This is all documented. It just boggles my mind why somebody like this was left on the streets. This is not a teenager; this is a young adult.

Ms. McDonald:

Yes, on that note and I have just a remark about the Broadhead pool incident, what concerned me really was the policies that are in place whether it be the city or suburbs on police chases. This is an issue that has come to the floor nationally is police chases. They look real glitzy and sexy on TV but unfortunately if you don't have real standing as to justify a police chase as to where it's at, is it in a residential area these kinds of things can happen.

I would like to ask Councilman Diven who chairs Public Safety as well as Councilman Onorato whose District was impacted the other day, as to what policies the City of Pittsburgh has in place for police chases? I know there is policy in place, what is it? When you have a bordering or outside municipality how does that figure into when they come into the city and in terms of police chases, how does that figure in? Does one policy supersede another? Is there some kind of collaboration?

It concerns me because I know if I had a police chase in my neck of the woods and this happened, I would be mad at the actor. I would also be very angry with officers especially if it wasn't like some homicidal maniac trying to get away. Suppose it's like oh some marijuana and he had a joint in the car, I would be real ticked off if anybody were killed in a police chase for something like that.

So again we have to have policy, clear policy as to when it's justified and when it is not. Many times it is justified but the public starts to wonder. I would like to have some type of report, response, whatever as to police chases especially in residential neighborhoods so that the public is very clear. We need policy in place particularly if outside municipalities have to perform a police chase in the City of Pittsburgh.

I have another point, but I will wait until this discussion is over.

Mr. Onorato:

That is fine. That debate is fine for a general debate. But I want to make it clear everything I have heard and was told about today, this has been a stellar performance by the police on this one. This gentleman was waving a gun out of his window to residents in Avalon who were trying to stop him on a dead end street and he backed them off with a gun out of his window. The police did everything they can here.

I want to be careful and very clear that we don't shift the focus on who is at fault here. There is only one person who was driving that car who could have put that brake on at any particular time. I am here to tell you that what the police did on this one was probably one of our best examples of how police chases should happen. They work with municipalities,

they pulled off when it got into a high dense area, they relayed the city when they got into it, they did everything right.

I got to tell you, I am an attorney also by trade, the real blame if you are ever going to shift away from the actor is some of the sleaze balls who are in my profession. I am ashamed that I have to serve with some of them. There are some of these organizations who refuse to put the blame on the actor. That is where it goes.

This actor did it, and I sure hope the DA goes for first-degree murder in this case. Because there was nothing wrong here. The fact that we have people that represent people that run through a roadblock and lose a leg, I don't want anything to do with those people. I am sorry. The residents of our city deserve the highest and most protection. We put a badge and a uniform on these officers, give them every tool they need to stop these kinds of individuals that come into our neighborhoods with guns and drugs and vehicles and running people over. I do not want to have a debate on that issue on this case. I refuse to do it, I think it is for another time, but I want to tell you everything and all the facts point to one individual in this case and I am not going to shift the focus on him. We are going to follow this through.

If a judge is lenient on this individual, because he happens to be 22 years old, I will use his name and bring it up publicly to my people in my district as much as I can because most people don't know whom the judges are. There are no more excuses.

Ms. McDonald:

I have to explain, excuse me Councilman O'Connor, but I just want to say. To Councilman Onorato, this is the information that I am asking for; you can calm right now. But the information is what I am asking for not to put blame on anybody, but to be clear as to is a chase justified or not. If there was an actor with a gun flaring out of the car, and endangering people, that is a factor that I think answers what I am asking for. It is just information to justify. No one is out to put the blame on this or that.

I think we need to put our emotions behind us and look at the policies that are in place and that's what we are here for. I am not even asking for a debate, a Post Agenda, a Public Hearing. I think that if anything; this poor family needs our support and our help and our prayers. I am just asking for Councilman Diven to -- it just brings up a point what does justify a police chase.

I am not questioning the officers whether they were in line or not. My first gut reaction is I don't think they would be chasing this guy if it were not justified, but it still doesn't negate the fact that I should at least know as a policy maker. That's what I am asking for.

Mr. Ferlo:

Just by way of information, we have had a lot of lawsuits and we have a long history in this city as it relates to police chases. I think we have an excellent police protocol that has been hammered out as it relates to police chases and it should be made available to all colleagues.

The Chair:

Again, I would like to send our sympathy to the family. I think there is a lot of discussion on this chase issue. In fact, it was only less than a month ago that Council debated it at the table, compared to some national chases and all that.

But out of respect to the family, and we don't have all of the facts, I would like to save this for another day. Again, Mr. Diven, your report is do next week, if there is any other issues pertaining to chases or how we deal with boroughs and city police, but right now we don't have the facts except for what I saw in the paper. I think it can wait for another day.

Mr. Ferlo:

One last point. I always had the impression that this individual is a thoroughly disgusting individual but now it has been confirmed. His name is Art Model, I don't know how many people remember that name from Cleveland, but this involves an upcoming Steeler game and maybe my colleagues can help me out on this. But I do think we should send a protest letter to the NFL.

If I understand what is going down, by Mr. Model, the Baltimore Ravens, many Steeler fans travel to Baltimore, it is just part of an annual event. I know of many people actually get 30, 40 tickets to the September Steeler/Baltimore game and they organize a charter bus, they rent the hotel room, it is a good party.

What Mr. Model is doing now where in the past individuals could buy a block of tickets, what he is requiring Steeler fans to do now who want to go to Baltimore is you cannot just buy a block of tickets for the upcoming game. You have to buy a block of tickets for that game, and you have to buy at least two other games at a minimal of four tickets for two other unrelated games. Now that is like going to Sears and being told you have to buy a refrigerator and a dryer when you are there to buy a toaster.

Now, I don't understand the logic of that. It doesn't seem fair; it should violate some consumer rights. It reinforces why everybody hates profiteering in sports, but I just think this is despicable. I think it is unfair, it is anti-consumer, it should be illegal if it is not. I think we should protest to the NFL.

We have a lot of Pittsburgh area fans that want to go support the Steelers in September and they shouldn't be required to have to buy a block of tickets to other unrelated games. It is outrageous but most importantly, especially for lower income and working class families, it is enough to buy a major league ticket out of town. Especially when you are talking about a charter bus or hotel room, it is another thing to say you also have to ante up and buy four tickets to at least two other games minimally.

Now, I don't know if he is having a hard time filling his new stadium. I don't know if he has bad debts that he left in Cleveland, I really don't care. I think the guy is a disgusting jerk, but the fact of the matter is there should be some civility here and some fairness to the spectator and to the consumer. I think we should file an official protest with the NFL.

I don't know what the Steelers' position is on this, but I think there is going to be a lot of Steeler fans that are not going to be able to go and root on the

Steelers if they are being forced basically financially being blackmailed into buying additional tickets that they can ill afford to purchase. So, I will be sending my protest.

The Chair:

If there is any consolation, this is the first I have heard of this. It probably shows that Mr. Model is not selling out. There is a local team that tried that for the Notre Dame game and had to buy other games here and it backfired. So, although it may hurt Pittsburghers for this one game, it is probably showing a sign that he is not very successful down there.

Mr. Ferlo:

Contracting of leprosy would be too good for him.

The Chair:

Anything else to come in front of Council?

I would ask for approval of the minutes.

MS. MCDONALD moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Motion to excuse the absent member.

MS. MCDONALD moved to excuse the absent member.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Motion to adjourn the meeting.

MS. MCDONALD moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion of Ms. McDonald, the meeting adjourned.

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ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, June 30, 1998

PRESENT:

Mr. Cohen	**Mr. Onorato**
Mr. Diven	**Mr. Ricciardi**
Mr. Ferlo	**Mr. Udin**
Mr. Hertzberg	**Mr. O'Connor (Pres't)**
Ms. McDonald	

The Chair:

Will we all please rise for the pledge of allegiance and please remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest Ishmael Swain from Burgwin School. He will be going into the second grade and he enjoys playing football, basketball and baseball. He is accompanied by his mother, Loretta Allen.

Ishmael Swain:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

We have a flag of our city and country for you. Thanks for coming down.

PRESENTATIONS

I don't know how we are going to fit all this in, but we have a lot of special guest attendees. We want to have a proclamation on behalf of all of Council to all the supporters of the disaster. I would like all of you to come up.

Actually it's been one month, I guess, to the day that the tornado hit Pittsburgh. I guess it's almost like whomever you talk to it is like when Kennedy got shot, where were you when it happened.

I don't want to go into details where I was, but where I ended up about a half-hour after was in Hazelwood. I never saw anything like it in my life. The way I describe it to people, is almost like a science fiction movie or superman movie it just picked trees up out of the ground and threw them down and knocked homes over, moved trains, cars it was devastating. But probably what came out of it was all the support we had.

I will mention just briefly, it was overwhelming all the support from the neighborhoods. Everyone was out helping their neighbors. People in Pittsburgh just really rose to the occasion. This is more of the professional end. These are the professionals and volunteers who, I think, did a lot more, went above and beyond the call of duty.

From the TV stations, the radio stations, the reporting, the weather before hand, during and after the storm, what had to be done, where to go for help, the public utilities all they did.

I know in Hazelwood at 11 o'clock at night, I was talking to a Duquesne Light person who was on a pole. He came down and said you know if I had some more light, I could do more. There was that extra effort on behalf of everyone and it was unbelievable what had happened there. The Red Cross, the Salvation Army, and this is our way in Council to just thank all of you and honor all of you and just thank you for all you have done.

The Mayor was invited but he is out of town unfortunately. I know we have representatives from the Mayor's office here.

So I would like to read the proclamation. I think we have 14 organizations and I hope we didn't miss anyone. I am sure we missed one or two, but we tried to get everyone in.

We are really thankful for all you have done. If anyone told me what I saw that three, five people were killed, I would have said we are lucky. But to have no one killed or really seriously injured is really a miracle. I think God is watching over Pittsburgh. It is really nice to know what we have even if you weren't involved or anywhere near that. In case an emergency ever happens, we have all this support team behind us. It certainly makes living here a lot better.

I will read the proclamation and I would like at least a couple of words from all the groups.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 584 WHEREAS, on the evening of June 2, 1998, the City of Pittsburgh was hit by severe thunderstorms and tornadoes that affected several neighborhoods of the City and their residents, causing damage to homes, places of worship, schools, and streets, yet the storm could not prevent Pittsburghers from coming together during this time of hardship to help one another pick up the pieces from a devastating act of nature, and;

WHEREAS, the Weather teams at KDKA-TV, WTAE-TV, and WPXI-TV provided City residents with up to the minute accounts of the storms throughout the evening, and delivered timely warnings about how and when to protect ourselves amidst the forecast, and delivered excellent coverage of the post-storm situation in City neighborhoods, and;

WHEREAS, several City of Pittsburgh Departments including Public Works, Building Inspection, the Bureau of Police, the Bureau of Fire, the Office of the Mayor, the Bureau of Emergency Medical Services and workers in the Emergency Operation Centers of Pittsburgh and the Allegheny County,

worked tirelessly to accommodate residents and assist them with the cleanup to help those persons affected by the disastrous series of storms, and;

WHEREAS, Duquesne Light provided the residents of the City of Pittsburgh with excellent service that required employees to work all hours in order that residents in the disaster hit areas had power restored in their area as soon as possible, and;

WHEREAS, Bell Atlantic responded to this crisis in a timely fashion, restoring phone service to residents and businesses in storm and tornado damaged areas, thus allowing for a minimal disruption in the City's communication system, and;

WHEREAS, the Salvation Army and the American Red Cross established disaster relief stations in areas of the City where residents affected by the storms received food and supplies to sustain themselves during this time of hardship, and whose workers provided victims of the disaster with care and support, and;

WHEREAS, the citizens of the City of Pittsburgh responded generously with their time, money and energy to assist the residents of Mount Washington, Hazelwood, Lincoln Place, the South Side Slopes and other hard hit areas, affected by storm damage.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor and thank the City of Pittsburgh Department of Public Works, Pittsburgh's Bureau of Police, Pittsburgh's Bureau of Fire, Emergency Medical Services, Emergency Operations Centers, the Office of the Mayor, Allegheny County, the Weather crews at WPXI-TV, KDKA-TV, WTAE-TV, Duquesne Light, Bell Atlantic, the Salvation Army, the American Red Cross, all of the employees of these offices and companies, as well as, the people of the City of Pittsburgh, for putting forth the effort and commitment to assist the residents of Pittsburgh during and after the devastating tornadoes on June 2, 1998.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Bowman:

Unaccustomed as I am to public speaking, I would just simply say if you go back to the very basics of why we are on the air, it says that a television station is licensed in the public's interest.

So when we have a night like we had on June 2, commercials go out the window and everything else that we are normally a part of stops. We simply go with the licensed and the public interest idea.

So certainly we are very proud to have been able to serve the public in the way that we did. I know we speak for the other television guys right here and I will let them speak for themselves, but that was truly a night when we all came together and put Pittsburgh first. It was very -- we are very proud to have been a part of that. Thank you.

Mr. Verszyla:

Thank you very much. First of all I want to say thank you to the City Council. It is truly an honor to be here today. I am just one member of KDKA-TV there are certainly a lot of people that could not be here today that I want to recognize as well. The entire KDKA Family who were there that night working tirelessly for some six odd hours to try to keep everyone safe and informed.

That's truly our mission as part of the hometown advantage is to keep people safe and keep them well informed especially in the face of adversity and tragedy.

It never ceases to amaze me that whenever there is tragedy around Western Pennsylvania, the way people come together to help everyone else. So hats off to the people in City of Pittsburgh and Western Pennsylvania.

Mr. Martz:

I just want to say as Dennis echoed earlier, of course being on television and to be in the interest of the public and that's something that no matter what television station you were watching that evening, it didn't matter. Everybody's purpose that evening was to get the information out as quickly as possible and as accurately as possible. I think everybody did that.

Also, I would like to share part of the credit as I am sure the other broadcasters here would agree with the National Weather Service. Without the timely issuance of their thunderstorm warnings and tornado warnings, we would not have been able to relay that information to you.

So, certainly kudos to everybody involved and especially to everybody who helped afterwards to get things back in working order as soon as they did. Thank you.

Mr. Gourley:

The Fire Department was established to respond to emergencies, which it does on a daily basis. However, that night there was a much higher magnitude and a different type of an emergency, which they responded to.

On behalf of the Fire Department, we would like to accept this in appreciation of all the help from the citizens and for all those citizens whose homes were damaged by the tornado.

Chief McNeilly:

I would just like to say that our officers are out there working hard every day to provide safety and security of the city. During this incident they were more than willing to assist.

There were officers even calling off duty to look and see where they could be used. I thank you for this honor.

Mr. Kraszewski:

It's a pleasure to be here and an honor to receive the proclamation on behalf of all of the Department of Public Works employees and their families who support them when they're out meeting the communities needs.

I want to say this is the best team I have ever worked with city wide in 27 years. I think the Federal Disaster

Training we all had about two years ago paid off. That's what brings us to a higher level and joining with the communities to get the job done, working around the clock is what it's all about, people helping people. Thank you.

The Chair:

Probably the best example I know, Mr. Hertzberg was there in Mount Washington, Mr. Ricciardi in the South Side. When I toured with the white truck and looked real important riding around, I noticed when we stopped to talk to workers they would just give you a brief hi thanks for being here, they went right back to work. They knew there was work to be done and everyone rolled up their sleeves, it was amazing.

There were no coffee breaks. Everyone really busted their hump and I really want to thank all of you for doing that.

Mr. Rowntree:

As Director Kraszewski said this was really not the first tornado that Pittsburgh had experienced. In the last two years we had done training sessions, exercise through the Federal and State Governments so this is really the third for us.

This was the first real one, but we were very fortunate that our people had received the training, had participated together and worked extremely well as a team. From the team 911 operators within the EOC, throughout all the boroughs, that previous training was absolutely instrumental in bringing that team effort together.

I would like to thank everyone who has participated and helped us through this.

Mr. Full:

Good morning and thank you, Council. On behalf of the Board of Commissioners and all the Allegheny County employees, we would like to take this opportunity to thank you for this proclamation.

There were ten county departments that were involved with this, providing support services not only in Public Safety and Public Works, but also from Human Services. Dealing with the elderly citizens and so forth and the psychological aspects and the health department aspects of the disaster.

There were 43 communities in Allegheny County that were effected by the storms between May 31 and June 2. Again on behalf of all of us in the county we would like to again compliment the City of Pittsburgh for their fine response within the city. It was our pleasure to do what we could for you. Thank you.

The Chair:

I don't know if they showed it on TV or not but when you all lined up, all your equipment at the arena ready to go where ever you were needed, it was really impressive.

Mr. Neal:

Thank you Council. On behalf of Duquesne Light, and really the people of Duquesne Light, I thank you for this

recognition. This has been a very difficult storm season for us. I hope these weather people can do something for us.

In particular, I would really like to thank our manual workers, Vick Fiori is here with me with the IBEW, we have over 900 people in our storm response teams. We practice for these events, we prepare for them, fortunately we don't have these major events too often. But that particular week, our people were very very pressed into duty from Sunday when we had a very strong lightning storm throughout that week.

I really accept this on their behalf. They did a great job. The cooperation with the city was fantastic. When you look at a plan as the other gentlemen had said, you never know until you get there how it's going to work.

I think I was very pleased in comparing ourselves with other utilities and the duration when we did have service back to the area. So, I thank you on behalf of all the people who worked long and hard on this. Thank you.

Ms. Bell:

Good morning. I would like to say on behalf of Bell, on behalf of our associates and the management folks who worked around the clock during this very very difficult time in the storm ravished area, I would like to express our appreciation to you for recognizing both our spirit of service and the spirit of our employees who gave up their time to work and to restore service to our customers. Thank you.

Mr. Harris:

I would like to just add that I am extremely proud of our members. Once again they stepped forward with the extra effort to demonstrate their commitment and dedication to service, to the customers, which is what it is all about. Thank you.

The Chair:

Anyone here from the Salvation Army?

Mr. McNamara:

It's interesting listening to all the other speakers go before us because we are kind of one of those non-governmental organizations that sometimes get forgotten.

But I do really want to tell the Council members here, you should be proud of the job that the city and county did here. Without their support of organizations like Red Cross and Salvation Army we also have a role to play. We could not do our jobs.

So I really accept this on behalf of our paid and volunteer staff from the local chapter of the Red Cross. One good thing about Pittsburgh whatever it takes, we get the job done. So, I think you all should be proud of the job that we all did here. So, thank you very much.

The Chair:

I know he didn't want to come up, but Bob James from KQV. Your station did a great job, Bob. We will have one for you and Mr. Dickey.

Did we miss anyone? Any groups?

I think we got everybody.

Mr. Hertzberg:

Thank you, Mr. President. I personally want to thank the government, the private and the nonprofit community for the great rally and effort June 2 with the tornado.

I know that it is engrained in my memory; something I will never forget that entire evening. But going up to Mount Washington and seeing the great organizational abilities, working together and just reaching out and trying to solve the problems, and to help the people and to get things restored, it was just phenomenal.

I was greatly impressed by every city department and particularly the Department of Public Works that I also happen to Chair. But that entire night I heard nothing but Public Works vehicles back and forth all night and for weeks after.

There are members I know that hardly slept of the Public Works Department and the staff, that just worked so hard and so violently to try to solve the people's problems. I really appreciate that. I deeply appreciate all the work that's been done in Council District Two, which I believe was probably the most severely hit, not only Mt. Washington but throughout Council District Two.

In fact, Director Kraszewski and I were actually pretty much able to trace the path right through Council District Two that the tornado took.

So on behalf of the City Council and District Two, I thank everyone in front of me and all the people that work for you for doing a good job with the disaster situation.

Mr. Ricciardi:

Thank you, Mr. President. Along with all my colleagues I also want to personally thank all of you for your fine work and coming together. I personally witnessed much of the damage because it occurred in my district such as South Side Slopes, Arlington, the Allentown Beltzhoover area, and I really want to thank all of you for going beyond the call of duty.

Matter of fact, I still recognize and acknowledge all the work that still needs to be done. Public Works is helping us greatly and so is Parks and Recreation in terms of some of the clean up that is occurring. I forward that information to Ralph and I want to thank you for continuing to work on that on behalf of all residents.

So, once again, I thank all of you because such as the speakers said, it really gave us an opportunity in the City of Pittsburgh to come together. I think we are known and recognized for the fact that we are a family here in this region. I once again thank you all.

The Chair:

Again, thank you all. Before you leave I would like to get a group picture. This is sponsored by all Council members not just myself.

Mr. Kennedy:

On behalf of the Bureau of

Emergency Medical Services, I would like to thank Council for this proclamation. As I said at a meeting in Mount Washington, I think the hallmark of Pittsburgh in this neighborhood are the people obviously. The comments of supervisors that night were there could have really been some more injuries and more havoc if we didn't have the cooperation of the public.

So, on behalf of the Bureau of Emergency Medical Services, I would like to thank the residents of Pittsburgh for their cooperation.

The Chair:

I see Kennedy and his people are on duty 24 hours a day. Thank you for all you do.

I believe Vick from IBW.

Mr. Fiori:

Very briefly, I, of course, feel honored to be here. I want to make a distinction between myself and the people I represent who are citizens of Allegheny County and mainly of the City of Pittsburgh.

Of course, I am proud to be their representative and I accept what's going on here today in their behalf. I was fortunate; I was in a very safe place in a Greentree meeting that evening and won't forget by the way the same as Mr. Chairman here. It was an eerie light out there; it got very very bright before the storm. One of the Presidents in my Union happened to be sitting at our Council table conducting the meeting, and his wife in Mount Washington called us as the storm was going on. So we knew right away how bad it was going to be.

The house that was devastated was literally picked up off of its foundation and it was condemned of course. That's the one that everyone is talking about. I want you all to know that all those workers again, your brothers and sisters, who live in your city are still volunteering their time and there is going to be continued work going on up there cleaning up trees and brush. The city people, the county people, the fire department all of you we all thank you for -- and I am speaking for my members, they want to make sure you understand how much they appreciated the way you coordinated your efforts.

I am really pleased that City Council has the foresight to bring people together like this to acknowledge. That's all this is really about is acknowledging what these people have done. I didn't do very much at all, again. I really accept this on behalf of those people that did work very hard that night in all the areas.

I am glad the one Councilman brought it up. Even though the majority of the news was in Mount Washington, there were many other areas that were devastated. All of them, of course, needed help. However, Mount Washington was the worse, and I want to remind you again there will be work going on and anyone that wants to volunteer their time, we will appreciate it.

The Chair:

Will the Veterans, please come up from the Wheel Chair Games. We are fortunate in Pittsburgh to have the 18 National Veterans Wheel Chair Games in Pittsburgh. We have the President Ed

Frenchy Deslauriers, the Director Lynn Blank, and Director of the VA Healthcare Systems, Tom Capello.

I just want to thank you all for what you do for the vets. It's outstanding. I know a lot of people may not appreciate it but until you see it and until you need it, we are very grateful we have you for all you do for the vets. As I said, my uncle was in Aspinwall, the new facility is state of the art and you have done a great job.

MR. O'CONNOR PRESENTS:

No. 585 WHEREAS, the National Veterans Wheelchair Games, an organization co-sponsored by the Paralyzed Veterans of America and the Department of Veterans Affairs, and hosted by the VA Pittsburgh Healthcare System, has selected the City of Pittsburgh in which to hold their 18th annual competition from July 7 through 11, 1998; and,

WHEREAS, the fundamental purpose of the games is to provide physically disabled veterans a positive experience in a variety of wheelchair sports and to expose them to organized wheelchair activities; and,

WHEREAS, our physically challenged veterans, unified under the singular cause of overcoming their disabilities by motivating each other and acting as inspirational persons in the eyes of thousands of Americans, thus continuing in the service to our country; and,

WHEREAS, the City of Pittsburgh acknowledges, respects and highly values the dedication and self-sacrifice of our nation's veterans who have given of themselves for the freedom of the people of the United States of America; thus,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the more than 600 athletes and 2,500 coaches and volunteers involved with this program to the City of Pittsburgh and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 7 to 11, 1998 as "The 18th National Veterans Wheelchair Games Days" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Deslauriers:

I am Ed Frenchy Deslauriers. I am President for the State of Pennsylvania for Keystone Paralyzed Veterans of America. The loss that each and every one of these veterans has suffered has signified all the freedoms that we have here in the United States. Freedom of speech, the freedom to go to church where ever we want to and they have literally given part of themselves so that you and everyone in the United States can enjoy those freedoms.

I would personally like to thank you for welcoming them here in Pittsburgh and making them the heroes that they once were on the battle field and making them the heroes again here in Pittsburgh. Thank you very much.

Mr. Capello:

On behalf of the 2400 employees of the VA Healthcare System where we also put veterans first I would like to thank you for recognizing the Wheel Chair Games. A lot of people don't realize that other than the Special Olympics, this is the largest handicapped sporting event in the world. We will have participants from all 50 states and from Great Britain and Puerto Rico who will be attending.

I also would like to invite all of you to the opening ceremonies, which are Tuesday at the David L. Lawrence Convention Center. On Thursday there will be a block party from five to nine thirty. It is outside the David L. Lawrence Convention Center; they will be blocking off the streets. This is being sponsored by the downtown Partnership Association. On Saturday will be the closing events at the Convention Center at seven o'clock.

So, you are all invited. I think it is a really worthwhile thing to come out to see. I was out to the games last year in San Diego. I can assure you that to be part of these games is an experience you will never forget. So thank you again.

I also would like to thank the city for all they have done so far in helping us get ready for the games and also the county and the state have been instrumental as well. Thank you.

Mr. Blank:

I can't say anything better than Mr. Capello, but let me just say that having been in San Diego with him, it is an experience you will never forget. We invite you all to come down, bring your family, friends, whoever. Thank you very much.

The Chair:

Where would most of the games be held or if people just want to come down and watch?

Mr. Deslauriers:

At the David L. Lawrence Convention Center. Some of the events are at Baldwin High School, Pitt Auditorium, Bowling City, Princess Lanes, Mr. Pockets.

Mr. Capello:

This is the first time in the history of the games; we are having a (inaudible) out in the North Hills. So that ought to be exciting.

The Chair:

So there is a lot of exciting things happening. So people in different neighborhoods can go visit.

We have a couple to be read into the record.

MS. MCDONALD PRESENTS:

No. 586 WHEREAS, On July 4, 1998 the Lemington Center will celebrate it's birthday of 115 years of service to the city of Pittsburgh; and

WHEREAS, Mary Peck Bond founded the Lemington Center. Her purpose in developing the center was to care for aged and ailing African-American women. The original two bed-room house

located on Laplace Street served four individuals. The community has always provided sturdy support and invaluable service to the Lemington Center. The Lemington Center's surrounding community support network is the central reason for the Centers success.

WHEREAS, In 1990 the demand for service far exceeded the Center's capacity. As a result of over population, a group of community people raised $40,000 to build a thirty-three room home on Lemington Ave. This facility remained operational for more than 80 years. In 1970 modern technology and standards, coupled with an ever-increasing demand to serve more individuals, called for new changes to the Lemington Center. Hence, a new generation of community people secured the financing and approval to construct the one-hundred and eighty bed facility which we know today; and

WHEREAS, Today, the Lemington Center gives a unique approach to long-term healthcare by building upon it's Afro-centric heritage. The organization provides rehabilitation therapy and skilled nursing services to fit the specific needs of our residents.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends the Lemington Center for devoting 115 years of service to the elderly African-American community.

MR. ONORATO PRESENTS:

No. 587 WHEREAS, Mr. William Kunz, III has earned the status of Eagle Scout with Boy Scouts of America Troop # 348; and

WHEREAS, a Board of Review was convened on May 5, 1998 to interview William in order to determine if he had truly fulfilled the high level of performance necessary to qualify for advancement to the rank of Eagle Scout; and

WHEREAS, after a thorough examination of his past record of success, his present duties and high level of competence in all areas of his personal and community life, William was accepted into the cadre of Eagle Scouts; and

WHEREAS, William is 18 years old. He has advanced from Tiger Cub Pack to Cub Scout Pack to the Boy Scout Troop 348. His rank advancement was from Tenderfoot, Second Class, First Class, Star Scout, Life Scout, and finally Eagle Scout; and

WHEREAS, it takes a tremendous amount of work and commitment to complete the prerequisites to become an Eagle Scout. William earned merit badges in Camping, Communications, First Aid, Lifesaving, Safety, Family Life, Cooking, Fishing, Citizenship in the Community, Citizenship in the Nation, Citizenship in the World, Emergency Preparedness, Environmental Science, Personal Management, Basketry, Fingerprinting, and Leatherwork; and

WHEREAS, Not every young man who sets out to fulfill this goal actually achieves it.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates William

Kunz on his performance and all his hard work to become an Eagle Scout.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 588 WHEREAS, the Orthodox Union was founded in Manhattan on June 8, 1898, and recently celebrated its 100th Anniversary throughout the world, and in 1924 the Orthodox Union created the first non-profit communally sponsored kosher certification program which is found on more than 200,000 products in 56 countries, assuring observant Jews that the product has been prepared under rabbinical supervision, and prevents steep pricing of kosher foods, and,

WHEREAS, the Orthodox Union sponsors a wide range of programs, including the National Conference of Synagogue Youth which offers educational and social events for boys and girls throughout the world, and,

WHEREAS, the Orthodox Union's National Jewish Council for the Disabled sponsors activities for those persons with hearing and other disabilities, and in the Ukraine the Orthodox Union offers young people and adults educational, recreational, and religious programming, and,

WHEREAS, American students and tourists in Israel and immigrants to Israel are welcomed by the Orthodox Union's Israel Center, and as part of the Pardes Project teenagers and adults from countries all over the world learn traditional Jewish wisdom as it relates to contemporary issues, as an effort to unify Orthodox Jews, and,

WHEREAS, the Orthodox Union has remained a vital force in the City of Pittsburgh's Orthodox Jewish community, enriching the community with programs that celebrate and educate about Orthodox Judaism, and encourages its members to be active in the community, helping others,

NOW THEREFORE BE IT RESOLVED, that the City of Pittsburgh does hereby commend and recognize the contributions that the Orthodox Union has made to the Pittsburgh community and to the international community,

BE IT FURTHER RESOLVED, that the City Council of the City of Pittsburgh does hereby declare Tuesday, June 23, 1998 to be "ORTHODOX UNION DAY" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolutions.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Presentation of papers.

MR. COHEN PRESENTED:

No. 589 Resolution providing for the letting, during the calendar year 1999, of contracts and for the use of existing contracts for the maintenance, rental, rehabilitation, renovation, inspection or servicing of personal property, and also for bonding, insurance, printing and any other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the

various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

No. 590 Resolution providing for the letting of contracts and the use of existing contracts for the purchase of materials, general supplies, and equipment by various Departments of the City of Pittsburgh during the calendar year 1999, and providing for the payment of the costs thereof.

Which were read and referred to the Committee on Lands, Buildings and Procurement.

MR. FERLO PRESENTED:

No. 591 Resolution providing for a Purchase/Sale Agreement with CSX Transportation, Inc. to purchase an easement for the purpose of constructing a bus shelter platform at the West Carson Street and Tabor Street Intersection; and providing for the payment of the costs thereof, not to exceed $500.00, chargeable to and payable from Account 600000, Fund 5100, Org 301000, Sub-Class PGHPR, Project/Grant 2231024, Budget Year 1996.

Which was read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 592 Resolution Amending Resolution No. 397, effective 7/10/97, entitled "Providing For Contract or Contracts or the use of existing Contracts for concrete sidewalk repair/replacement in the CDBG areas in the City of Pittsburgh, and providing for the payment thereof" by increasing the total allocation by $28,000 from $12,000 to $40,000.

No. 593 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for the repairs and maintenance of the Walls, Steps, and Fences in CD areas throughout the City of Pittsburgh and providing for the payment thereof, not to exceed forty-seven Thousand ($47,000.00) Dollars, chargeable to and payable from Fund 2610, Org. 400000, Sub Class C 1996, Project 2220036, Budget ear 1997, Walls Steps, Fences, Department of Public Works.

No. 594 Resolution Granting the U.S. General Services Administration, Mid Atlantic Region, 100 Penn Square East, Philadelphia, Pa. 15233 their successors, and assigns, an encroachment to construct, maintain and use at her own cost and expense, placement of 7 bollards and 3 trees on Liberty Ave. and 8 bollards on Grant St. adjacent to the Federal Building, in the 2nd Ward, 6th Council District, City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MS. MCDONALD PRESENTED:

No. 595 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed Eight Hundred Thirty Thousand Dollars

($830,000.00), and shall be chargeable to and payable from the Special Summer Food Service Program Trust Fund, Account 525530, Fund 2855, Organization 521220, Subclass 600, Year 1998, in the Department of Parks and Recreation.

No. 596 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the "Look-Out Street Playground" to the "Andrew 'Huck' Fenrich Memorial Playground".

Which were read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. UDIN PRESENTED:

No. 597 Resolution Transferring the amount of $2,905.20 from the Mayor's Office Education and Training Account, Fund 1000, Organization 102000, Sub Class 030, Budget Year 1998, Account 564300 to the Department of City Planning's Education and Training Account, Fund 1000, Organization 110220, Sub Class 030, Budget Year 1998 Account 516000.

No. 598 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Fried, Kane, Zuschlag, Walters & Grochmal for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims.

No. 599 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Ford & Council for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Any unfinished business to come in front of Council?

We will now move to Committee on Chair Reports. Mr. Diven is out of town. I think he came back late this morning but we would like to have a report from Mr. Cohen on telecommunications and General Services.

CHAIR REPORTS

Mr. Cohen:

Thank you. I would like to focus on two items this morning, if I could, and then maybe give a very brief update on a couple of others.

You wouldn't think copy machines would be a very exciting topic but I am actually pretty excited that we will save approximately $2.5 million for the next six years through a major change in the way that we pay for copies.

You may recall in the Competitive Pittsburgh Report of a couple of years ago, it was recommended that instead of leasing copy machines for over a half million dollars a year, that instead we would put out an RFP. A request for proposals for a contract in which we pay just per copy instead of leasing out copy machines.

Well first the General Services Department had to get a handle on how

many copies are made every year by the City of Pittsburgh Departments and if you are interested it is 15,776,131 copies.

Well then the next step was to put out a bid, which was done in April and it was awarded, I believe, in late May for companies to actually charge us only for the copies that we make instead of leasing out the entire copier.

Well I am happy to report that the best bid came in at 1.02 cents per copy. Under the system where we actually leased copy machines, we paid over four cents per copy in 1996. This year we are actually saving $269,000. But our savings actually will increase to $433,000 in the year 2000 as our copy leases expire. We still have leases on certain copy machines; those will expire over the next couple of years and then we will only have this one contract where we pay, as I said, just for the copies that we actually use.

So our savings really will be tremendous over the next six years, over $2.5 million without any decrease in services. Moreover, Mr. President, this should be even greater as our use of email, the electronic mail system increases, which would mean less copies actually used.

So I wanted to bring this forward as an excellent example of increased efficiency by the General Services Department, where we had significant savings without any significant decrease in services.

In particular other than Guy Costa the Director of General Services who really did an excellent job in shepherding this through once he got in, the person who really deserves our commendation is Jeff Horan who has spent a lot of time on this.

I just want to pass out to you a copy of a report showing the savings that will exist with this change in how we do copies. So I wanted to report to you on that, Mr. President and the rest of Council.

The Chair:

Can I ask a question? Now if we wanted to make a copy right now, you need copies of that will we still have the machines available?

Mr. Cohen:

Yes. The machines will be available in our facilities just like here in City Council. I believe with City Council we still have a leased machine and the lease expires I know sometime in the next year or so. But other copies are placed now in the city where we don't lease that machine any more. The company owns the machine and in this case it is Pitney Bowes. They own the machine and then they charge us only for copies that we use; 1.02 cents per copy. So I want to start with a little good news.

The other subject that comes under this committee is our cable television system. I wanted to just give you an update on our cable television franchise renewal and also the AT&T/TCI merger which obviously will have a major effect here in Pittsburgh.

Let me first just discuss franchise renewal. TCI's franchise with the city expires on October 31, 1999, Halloween 1999. What we want to do is make sure

that we get a treat rather than a trick for our new franchise agreement. Federal law on franchise renewal provides for a formal and an informal process. I am not going to go through both of those we don't have the time to do that this morning. But both processes include the need for community input, for public input.

Specifically the public is asked to comment on TCI's past performance as well as Pittsburgh's future cable related needs. The city code also takes up franchise renewal. It is Section 425.25. It is also quite detailed. What it says is, and I will just summarize briefly. That 13 months prior to the expiration of our franchise agreement, and that would be September 30th of this year, the Cable Bureau Superintendent Guy Costa must review the City Code and begin to determine whether TCI has performed it's obligations under the franchise agreement.

At that point two things need to happen. Number one, an in-depth review of TCI's past performance including public input on it. Number two, negotiations with TCI. This process has already begun. City Solicitor Jacqueline Morrow, Guy Costa who is the head of the General Services Department and the Cable Superintendent, Rodney Akers who we all know in the Law Department and myself have had two meetings with TCI, preliminary meetings on negotiations. One of TCI's representatives by the way is Brother Richard Emenecker who was the City of Pittsburgh's first cable superintendent. So he certainly knows about the City of Pittsburgh's needs.

We then have to begin collecting information and doing a performance evaluation of TCI. Then between the tenth and fourth month prior to expiration and at sometime between December 31st of this year and June 30th of next year, the administration has to make recommendations to Council on franchise renewal. At that point, Council could either renew the franchise, transfer it or put out a bid, put out and solicit proposals for a new system.

Now obviously this process is complicated by the merger of TCI by AT&T. I think this is a good complication frankly. I think the merger could be good for Pittsburgh, not just for Pittsburgh Cable subscribers, but also any Pittsburgher who makes local phone calls. The reason is that this should bring more competition into the local Pittsburgh phone market. That's the reason that AT&T wants to merge with TCI is to compete in the local phone market.

Competition obviously is the answer both for phone and for cable because it lowers rates and it improves service.

Unfortunately, it won't bring competition to the cable television market because this involves a transfer, not a new separate company competing with TCI. However, I am cautiously optimistic because our track record with TCI has not been a good one. Not only on rates, but also on customer service.

We haven't received any official notice, Mr. President, from TCI or AT&T yet. When we do, I want make it very clear that Pittsburgh's franchise cannot be transferred without the prior written approval of this Council and of the Mayor. I hope that that transfer process gets folded into the whole transfer renewal process.

The reason is, it gives us an opportunity to sit down and negotiate with AT&T for what we want here in Pittsburgh. That includes an upgraded cable system, so we have a state of the art technology for our residents, for our businesses and also for our future business. That includes everything from the highest quality television picture to high speed Internet. We need to be on the A list of all cities for companies that want to come here in terms of telecommunications.

I believe this will happen more quickly with AT&T. TCI was carrying a significant debt amount. AT&T has said that it will devote the revenues to upgrade our system. At least publicly not yet in negotiations because we haven't gotten to that point yet.

Equally important is customer service. We have got to have better customer service here in Pittsburgh and that includes not having to wait 20 minutes to get through to your cable company when you need to call them. It means having a complaint process for resolving complaints with our cable company, and withholding money until that complaint is resolved. It means having to wait all day for a technician to come for a service call.

Those types of things we need to negotiate with AT&T as well as TCI. Also, getting our government buildings and our libraries wired. Maybe even our schools wired, by our cable company. So that everyone, especially our children have an opportunity to become part of the information age.

Finally rates, it's mostly governed by federal law but it is important that we have a company that doesn't raise rates as dramatically as TCI has. So I wanted to give Council a sense of the process.

I know that Jacqueline Morrow and Rodney Akers have started to visit each of you to tell you more about this process in more detail.

One thing I would like to do this morning, Mr. President, is to take this opportunity to make a motion to have you with our consultation hopefully decide on a Public Hearing. I think it would be good to have a Public Hearing at the beginning of this process to hear from the public on TCI's past performance. Then have a Public Hearing at the end of the process on a draft franchise agreement, which hopefully will be completed at that time.

So I would like to make a motion for a Public Hearing on this whole issue and then refer it to you, Mr. President, for scheduling.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

I imagine you are starting after the break say September, with the Public Hearing?

Mr. Cohen:

Exactly. What I would like is within the first couple of weeks after we arrive back from our August break.

The Chair:

All right.

Sounds like exciting things are happening. That will be 13 months as of September, so you have a little more than a year to iron out all the details.

Mr. Cohen:

That's right. That's the first step and that first step has started already. We are well on our way.

The Chair:

Will we know much about the finalized -- how it shakes out with the merger?

Mr. Cohen:

We had discussion with TCI representatives the day after the merger was announced. They were not in a position to say when the official notification would come through and how that would actually change their operations. They seem to think that it would not change their day-to-day operations but we will find out more certainly soon.

Mr. Hertzberg:

Just to comment on the merger. I think we still need to get some approvals, mainly the Federal Anti-Trust approval for the merger because they are both such giants.

But from what I have read and heard that's probably going to happen. Because of the impact on the local telephone industry which will actually be a major increase in competition. One that I think is going to be a major benefit to everyone that will be able to get the services of a competitor and local telephone.

We can talk about the cable rates and how they have risen, but I think nobody even thinks about what has happened with local telephone rates. Everyone is so accustomed to having no choice in local telephone rates. As those rates have gone up, no one has really noticed how high they have gone up. It is not only for residents but businesses. It's just unbelievable what local phone service costs right now as a result of the baby Bell monopolies in local phone service.

You will get call after call for long distance because of all the competition there, but you don't get one call from anybody that wants you to change your local phone service because there has been no competition.

So I think that this is great news that we are going to have some competition, some big time competition from someone that is in the position that has the where with all to do it in the local phone market. I am looking forward to those savings for our residents and our business community on local phone rates.

The Chair:

One thing concerns me in hoping you're correct and thank you very much for a good report. The merger and everything seems like a positive certainly with the cash flow of TCI and all those potential positives. I wonder if this merger delay, these things take time, if it hinders in any way our negotiations that 13-month time limit?

I guess one thing I would like you to look into maybe, is there an option there

if things aren't going or we need more time? That you could do a six-month extension without being rushed into maybe a five or ten-year long deal if we weren't ready for it?

Mr. Cohen:

What we said to TCI until we receive some notification the clock doesn't even begin running on transfer. So we should continue with franchise renewal negotiations. Hopefully as I said make the AT&T merger part of the bigger picture which is to sit down and negotiate with AT&T.

Until we receive an official notice, the clock doesn't start running. They said it would take, they think it would take six to nine months to complete the operational merger. When we will actually get notice within that time period is anybody's guess, but at the moment I don't think our hands are tied I think we can move ahead.

The Chair:

My fear though as you are negotiating and then nine months from now a new boss comes in and says well we want to change something. Maybe we are not comfortable with it time wise. You have the legal expertise to look into it.

Mr. Cohen:

That's a good point. If it were happening -- if it would happen very close to the deadline then I think we would seek a necessary extension to be able to negotiate with them. Absolutely.

The Chair:

Thank you very much.

Moving to reports of committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 600:

Report of the committee on Finance and Budget for June 24, 1998, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 529:

Resolution providing for an Agreement with the Port Authority of Allegheny County which grants permission to construct a permanent drainage easement and a temporary construction easement along the northern edge of City owned property, 6th Ward, on Croesus Way, 26-B-part of 300.

Which was read.

Also,

Bill No. 548:

Resolution authorizing the City of Pittsburgh to enter into professional services contract with the Pennsylvania Economy League, Inc. for the purpose of preparing the 1999-2002 revenue forecast and providing required follow-up not to exceed $30,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Six NOES None

Bills have received the legally required number of votes and are passed finally.

MR. ONORATO PRESENTED:

Bill No. 601:

Report of the Committee on Planning, Zoning and Land Use for June 24, 1998, transmitting one ordinance to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 469:

An Ordinance amending the Pittsburgh Code, Title Nine Zoning District Map No. 16 by changing from "CP" Commercial Planned Unit Development District to "C3' Commercial District all that certain property having frontage on the Easterly side of North Highland Avenue between Penn Circle North and East Liberty Boulevard, 11th Ward, Council District No. 9. (HEARING HELD JUNE 23, 1998).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

You have heard the reading and title of the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Six NOES None

Bills have received the legally required number of votes and are passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 602:

Report of the Committee on Housing, Economic Development and Promotion for June 24, 1998, transmitting sundry of

resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 471:

Resolution approving the Redevelopment Proposal dated March `1998 including Modification No. 6 to the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment area No. 10, East Liberty, in the 11th Ward of the City of Pittsburgh (Council District 9). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG). (HEARING HELD JUNE 23, 1998)

Which was read.

Also,

Bill No. 472:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh implementing the Redevelopment Proposal dated March, 1998 for redevelopment activities in portions of Redevelopment Area No. 10 East Liberty (Council District No. 9). (PRESENTED BY MR. RICCIARDI AND MR. HERTZBERG). (HEARING HELD JUNE 23, 1998).

Which was read.

Also,

Bill No. 473:

Resolution approving execution of a Contract for Disposition by Sale of land by and between the URA and Home Depot, USA, Inc. for sale of Parcels C-47, C-38a, C-17 & part of B-7 in the 11th Ward of City of Pittsburgh in Redevelop. Area 10-Block 83L, Lots 168, 169, 170, 171, 173, 200, 202 & 204 & Block 83R Lots 216, part of 255, 257, 258, 259, 288, 290, 294, 304, 305, 318, 322 & 324 N. Highland Ave & Penn Circle North & Harvard Street & Sheridan Avenue, Council District 9). (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the role.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor (Pres't)

AYES Six NOES None

Bills have received the legally required number of votes and are passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

We have a Public Hearing tomorrow at two o'clock regarding the airport bus way and Wabash tunnel. Is that televised?

Mr. Hertzberg:

Yes, it is, Mr. President.

The Chair:

Two o'clock tomorrow. Any other discussion on motions and resolutions?

Mr. Ricciardi:

Yes, thank you, Mr. President. I was very pleased that we had an opportunity today, this morning, to honor so many individuals and organizations and city departments and agencies and paid people and also volunteers on the fine work they did in terms of the clean up. But for my constituents, I also want to make it very clear and I am sure Mr. Hertzberg would agree with me and you, Mr. O'Connor, who has also suffered some damage. There is still a lot of work that needs to be performed; a lot of clean up work.

For example, we have some dangerous conditions now at Corey Field and Winters Field off of Saint Pauls Street. The fence I would say about 30 or 50-yards is at a 90-degree angle, which I think is a safety problem. So, it's going to need to be repaired soon. We also have a lot of pick up in the Arlington neighborhoods still needs to occur on Roman Way where I was yesterday. We have about ten individual homes that were able to put some of their damaged material there and it has not been picked up yet.

We are using the smaller field below Corey Field for a drop-off point for contractors that are using it for debris and trees and shrubbery that we are beginning to have a rodent problem. So there is a problem there and along Brosville and other streets a lot of the trees that were taken down in order to make it passable and safe they are sitting along the roadside.

So with that said we have done a fine job but we have to make sure that our constituents know that there is still a lot of work to be performed. I don't want them to think personally that we were able to have a celebration here today and that I realize that work out there is not completed; it is not.

That is not to say that we're on a down spin here, or say anything negative about what happened this morning. But it is also to say that the damage was just so extensive and the work is so extensive and the cost is so exorbitant in terms of especially a private contractor. We had to bring in a professional contractor with the trees and the shrubbery. It is costing us $4,000 per day and there is still a lot of work to be done.

I would like to hear from Mr. O'Connor and Mr. Hertzberg if they somewhat agree with me and what your district's believe, but I believe my district still needs some clean up work. I am working very closely with Public Works. They have been receptive but I have to make this clear to my constituents because I just got three, four calls yesterday about Roman Way. We realize the work that needs to be done and we are dedicated to finishing this process. I would hope that it

will be all cleaned up by the end of August. Thank you.

Mr. Hertzberg:

I would agree 100% with you, Mr. Ricciardi, that everything is not done. I think what got done quickly and where there was a real focus and a concentration was the emergency related needs. I think most of those at least from what should be considered the City's responsibility has been taken care of now but that doesn't mean there aren't other problems related to the damage that was done by the tornado that aren't, believe me there are. There is no doubt about it in Council District Two, I feel exactly as Mr. Ricciardi does. We still need to finish the cleanup.

The Chair:

I don't know. I believe your report will be next week. If you can give us some information, updates and also maybe look into the Federal money and state money and where it is? Did we receive it? When is it coming? What can we do with it? It's a time especially with summer part-time help, I would imagine when the money comes we can do a lot extra.

So maybe if you can have an update for us next week, it might be able to help everyone. Also maybe list, a taskforce, what needs to be done. Because again, if the federal money and grants are there not just for the homeowners but for the sewers, there is a lot of destruction especially in the parks. Again, maybe they are attended to last but never the less they have to be done first. I am sure the bad weather and all the rain every day is hurting too. But I look forward to maybe next week if you could give us an update on this. Thank you.

Anything else?

If not, motion to excuse the absent members.

MR. RICCIARDI moved to excuse the absent members.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. RICCIARDI moved to approve the minutes

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. RICCIARDI seconded the motion.

And on the motion of Mr. Hertzberg, the meeting adjourned.